

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, April 4, 2006
Tuesday, 9:04 A.M.

The City Council met in regular session with Mayor Mayans in the Chair. Council Members Brewer, Fearey, Gray, Martz, Schlapp, Skelton; present.

George Kolb, City Manager; Gary Rebenstorf, Director of Law; Karen Sublett, City Clerk; present.

David Kimble of the Baha'i Faith gave the invocation.

The pledge of allegiance was participated in by the Council Members, staff, and guests.

The Minutes of the March 28, 2006 meeting were approved 7 to 0.

AWARDS AND PROCLAMATIONS

Proclamations

Proclamations:

Mayor Mayans read aloud the following proclamations:

- Fair Housing Month
- Child Abuse Prevention Month
- School Volunteer and Partner Recognition Month

Service Citation

Distinguished Service Citation.

Mayor Mayans recognized Steven L. Forbes and Juan E. Dominguez for their years of service and presented each of them with a plaque.

PUBLIC AGENDA**PEGGY RIDGE****PEGGY RIDGE-SOCIAL WORKER ADVOCATE FOR THE MENTALLY ILL.**

Ms. Ridge stated that it is time for the mentally ill to have a life. Stated that they need jobs and that these people are not satisfied with the programs that are available to them. Stated that she has written hundreds of letters all over the United States asking to come here and develop jobs for the mentally ill and has not received any response yet. Stated that she knows that they can work and have a life. Stated that if the Council would like to do a study, to go out there and talk to them.

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RANDOLPH CABRAL **RANDOLPH C. CABRAL-MANUFACTURING AND MAINTAINING OF TECHNICAL EQUIPMENT USED FOR THE PURPOSE OF PRODUCING BRAILLE MATERIALS, TECHNICAL SUPPORT OF SAID EQUIPMENT AND SALES AND DISTRIBUTION.**

Mr. Cabral stated that he is with the Kansas Braille Transcription Institute and they have been established in Wichita for six years. Stated that they have been granted the opportunity to host the first ever national convention in Wichita and the purpose of the convention would be to bring more attention and focus to the needs of special education teachers, who serve the visually impaired and blind. Stated that the convention would bring approximately 75 to 100 attendees from around the country for a three-day stay. Stated that it is their hopes that they can begin establishing dialogue with the City of Wichita, and the Wichita Chamber of Commerce to target appropriate locations to hold the initial convention and to establish dialogue with the Wichita Chamber of Commerce to locate some places within the community that these attendees can go to for entertainment. Stated that they would like to get some form of assistance from the City for better developing what they are working on as locating a reputable business or individual, agency or organization, who can help them with developing a strategic plan of operation. Stated that they would like any knowledge that could be provided to them regarding subsidies that might be available to this national organization. Stated that it is their hopes that if this can be accomplished in Wichita, it would be the first annual convention of its kind and can only grow with time. Stated that they did an estimate of the kind of revenue that it would generate, which would be approximately \$359,000.00. Stated that by having this convention here it would create national recognition for the City of Wichita and it would bring a whole new element of training opportunities to our special education teachers.

CONSENT AGENDA

Motion--
--carried

Mayans moved that Consent Agenda items 3-21a be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED APRIL 3, 2006.

Bids were opened March 31, 2006, pursuant to advertisements published on:

PUBLIC WORKS DEPARTMENT/ENGINEERING DIVISION: Sewers, Paving and Water Mains as per specifications:

Water Distribution System to serve Harvest Ridge Addition - north of MacArthur, west of Maize. (448-89850/735305/470976) Does not affect existing traffic. (District V)

McCullough Excavation - \$38,850.00

Water Distribution System to serve Turkey Creek Addition - north of Pawnee, west of 119th Street West. (448-89962/735304/470975) Does not affect existing traffic. (District V)

WBW Contractors - \$61,814.00

McCormick Street Realignment - McCormick, from Leonine to K-42. (472-83831/706866/203332) Traffic to be maintained during construction using flagpersons and barricades. (District IV)

Cornejo and Sons Construction - \$1,171,894.50 (Base Bid
43,520.00 (Alternate 1)
24,352.70 (Alternate 2))
\$1,239,767.20 (Total Net Bid)

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Tara Falls from the north line of Pawnee to the west line Reserve E; Tara Falls Court from the west line of Tara Falls to and including the cul-de-sac (Lots 1 through 17, Block 1); Willowgreen/willowgreen Circle from the east line of Tara Falls to the east line of Lot 2, Block 4; Willowgreen Court from the south line of Willowgreen to and including the cul-de-sac (Lots 19 through 30, Block 4); Casa Bella from the north line of Willowgreen to the north line of Casa Bella Addition to serve Casa Bella Addition - north of Pawnee, west of 127th Street East. (472-84271/765975/490090) Does not affect existing traffic. (District II)

Cornejo and Sons Construction - \$290,893.57

Covington from the north line of 29th Street North to the east line of Lot 30, Block 1, Fontana 2nd Addition; Shefford from the east line of Lot 30, Block 1, to the east line of Covington; Covington Court to and including the cul-de-sac; Fontana Circle to and including the cul-de-sac; Fontana Court to and including the cul-de-sac; Landon Circle to and including the cul-de-sac to serve Fontana and Fontana 2nd Additions - north of 29th Street North, east of 119th Street West. (472-84086 /765976/490091) Does not affect existing traffic. (District V)

Kansas Paving Company - \$781,911.97

Churchill Circle from the south line of Lot 1, Block 2, to the south line of Lot 12, Block 2; Churchill Court, serving Lots 4 through 9, Block 2, from the south line of Churchill Circle to and including the cul-de-sac to serve Reed's Cove 4th Addition (south of 21st Street North, east of 127th Street East. (472-84384/765986/490103) Does not affect existing traffic. (District II)

Kansas Paving Company - \$277,187.75

Harry Street Temporary Frontage Road to serve Auburn Hills 15th Addition - west of 135th Street, north of Kellogg. (472-83962/765951/490064) Traffic to be maintained during construction using flagpersons and barricades. (District V)

LaFarge North America - \$175,114.50

Motion--

Mayans moved that the contracts be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

--carried

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Window and Plate Glass.

Hopper Glass Inc. - \$14,447.50* (Group 1 Base Bid with Option 1)

*Estimate – Contract approved on unit cost basis; refer to attachments.

PARKS & RECREATION DEPARTMENT/MAINTENANCE DIVISION: Mowing, Trimming and Maintenance of Cemeteries.

Progreen Tree & Lawn care - \$18,375.00* (Total Net Bid)

*Estimate – Contract approved on unit cost basis; refer to attachments.

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Glass Beads for Traffic Line Paint.

Flex O-Lite Inc. – \$33,240.00* (Total Net Bid)

*Estimate – Contract approved on unit cost basis; refer to attachments.

FIRE DEPARTMENT/SAFETY DIVISION: Breathing Air Stations and Modular Components System.

Emergency Fire Equipment Co. - \$160,620.00 (Option 3 - includes base bid with installation)

<-3,300.00> (Group 1/Option 1 Trade-in)

\$157,320.00 (Total Net Bid)

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PUBLIC WORKS DEPARTMENT/FLOOD CONTROL DIVISION: 18" AND 24" Rip Rap.

Martin Marietta Materials - \$73,150.00 * (Total Net Bid)

*Estimate – Contract approved on unit cost basis; refer to attachments.

WATER & SEWER DEPARTMENT/WATER DISTRIBUTION DIVISION: Trailer Mounted 185 C.F.M. air Compressor.

Victor L. Phillips - \$12,867.00 (One Additional Unit)
362.00 (Option 1)

Motion--
--carried

Mayans moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CMBS

APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2006</u>	<u>(Consumption on Premises)</u>
Paul A. Eck	Family Home Association*	3202 West 13th Street
Troy Hendricks	Auburn Hills Golf Course*	443 South 135th Street West
Ricky D. Morey	Morey's Deli & Keno*	3316 South Broadway
Lan Thy Ta	Kim Huong Restaurant*	1015 North Broadway

<u>Renewal</u>	<u>2006</u>	<u>(Consumption off Premises)</u>
Edward J. Roitz	Fleming Convenience	3935 North Broadway
Kashf A. Khan	Phillips 66 on West Street	802 North West Street
Stephen Diehl	Dillon Store #81	13415 West Maple
Ly Ngoc Thi Nguyen	Thai Binh Supermarket	1530 West 21st Street

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion--
--carried

Mayans moved that the licenses subject to Staff review and approval be approved. Motion carried 7 to 0.

PRELIM. ESTS.

PRELIMINARY ESTIMATES:

- Drainage Hot Spots Improvements at 505 N. Rock Road to serve Woodlawn East Addition - west of Rock Road, north of Central. (468-84076/660507/854117) Traffic to be maintained during construction using flagpersons and barricades. (District II) - \$42,500.00
- Drainage Hot Spots Improvements at 119th Street West to Lark - east of 119th Street, outh of Kellogg. (468-84084/660505/854115) Traffic to be maintained during construction using flagpersons and barricades. (District IV) - \$36,698.90
- Water Distribution System to serve Casa Bella Addition - north of Pawnee, west of 127th Street East. (448-90113/735296/470967) Does not affect existing traffic. (District II) - \$105,000.00
- Lateral 2, Main 5 Cowskin Interceptor Sewer to serve Harvest Ridge Addition south of 31st Street South, west of Maize. (468-83660/744174/480862) Does not affect existing traffic. (District V) - \$166,000.00
- Lateral 7, Main 5 Northwest Interceptor Sewer to serve Liberty Park 2nd & 3rd Additions - south of 13th Street North, east of 135th Street West. (468-83730/744175/480863) Does not affect existing traffic. (District V) – \$243,000.00

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- f) Storm Water Drain #280 to serve Country Hollow Addition - south of Kellogg, east of 127th Street East. (468-84113/751413/485304) Does not affect existing traffic (District II) - \$780,000.00
- g) Storm Water Drain #276 to serve Casa Bella Addition - north of Pawnee, west of 127th Street East. (468-84073/751414/485035) Does not affect existing traffic. (District II) - \$685,000.00
- h) Lateral 2, Main 6 Cowskin Interceptor Sewer to serve Turkey Creek Addition - north of Pawnee, west of 119th Street West. (468-83819/744173/480861) Does not affect existing traffic. (District V) - \$258,000.00
- i) Water Distribution System to serve Reed's Cove 4th Addition - south of 21st Street North, east of 127th Street East. (448-90173/735307/470978) Does not affect existing traffic. (District II) - \$76,000.00
- j) Storm Water Drain #275 to serve Falcon Falls Addition - north of 45th Street North, west of Hillside. (468-84067/751412/485303) Does not affect existing traffic. (District I) - \$1,024,000.00
- k) 2006 Contract Maintenance Asphalt Street Repairs and Slurry Seal - west of Webb Road, south of 37th Street North. (472-84377/132719/) Traffic to be maintained during construction using flagpersons and barricades. (District I, II, IV, V) - \$657,799.70
- l) Storm Water Drain #278 to serve Auburn Hills 16th Addition - south of Maple, east of 151st Street West. (468-84092/751418/485309) Does not affect existing traffic. (District V) - \$770,000.00

Motion--carried

Mayans moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

DEEDS/ESMNTS

DEEDS AND EASEMENTS:

- a) Public Utility Easement dated January 20, 2006 from Dillion Real Estate Co., Inc. over a tract of land lying in portions of Lots 4 and 5, Block 1, Rockwood Center 2nd Addition to Wichita, Sedgwick County, Kansas. (OCA # 607861). No Cost to City. D17803
- b) Drainage and Utility Easement dated March 10th, 2006 from Via Christi Regional Medical Center. Inc., a Kansas not for profit corporation over a tract of land lying in a portion of Lot 1, Block 1, Via Christi Regional Medical Center, Inc. Addition, to Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City D17804
- c) Utility Easement dated February 14, 2006 by Tommy Thompson and Sally Thompson, husband and wife, over a tract of land lying in Lot 6, Comotara Industrial Park Fourth Addition to Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City. D17805
- d) Sanitary Sewer Easement dated February 14, 2006 by Tommy Thompson and Sally Thompson, husband and wife, over a tract of land lying in Lot 7, Comotara Industrial Park Fourth Addition to Wichita, Sedgwick County, Kansas, (OCA# 607861). No Cost to City. D17806
- e) Sanitary Sewer Easement dated March 20, 2006 from Merle W. Souders and Carolyn R. Souders over a tract of land lying in the Southwest Quarter of Section 12, Township 28 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (OCA# 744140). No Cost to City.
- f) Sanitary Sewer Easement dated January 20, 2006 from Gerald R. Ferguson, Trustee of the Gerald R. Ferguson Trust and Mary E. Ferguson, Trustee of the Mary E. Ferguson Trust over a tract of land lying in the Southwest Quarter of Section 12, Township 28 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (OCA# 744140). No Cost to City.

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- g) Sanitary Sewer Easement dated January 25, 2006 from James L. Orange, a single person and Janice E. Hammer, a single person, over a tract of land lying in the Southwest Quarter of Section 12, Township 28 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (OCA# 744140). No Cost to City.
- h) Sanitary Sewer Easement dated February 7, 2006 from Kenneth D. Smith and Lois M. Smith over a tract of land lying in the Southwest Quarter of Section 12, Township 28 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (OCA# 744140). No Cost to City
- i) Sanitary Sewer Easement dated January 25, 2006 from Jose J. Garcia and Deborah M. Garcia over a tract of land lying in the Southwest Quarter of Section 12, Township 28 South, Range 1 West of the 6th P.M., Sedgwick County, Kansas (OCA# 744140). No Cost to City.
- j) Sanitary Sewer Easement dated February 27, 2006 from Marcia H. M. Meier and Larry R. Meier over a tract of land lying in Lot 5, Block B, MeEvoy Addition, Sedgwick County, Kansas (OCA #744131). No Cost to City.
- k) Sanitary Sewer Easement dated February 27, 2006 from Karen I. and George J. Smith over a tract of land lying in Lot 4, Block B, MeEvoy Addition, Sedgwick County, Kansas (OCA #744131). No Cost to City.

Motion--carried

Mayans moved that the documents be accepted. Motion carried 7 to 0.

ADVISORY BOARD

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Wichita Public Building Commission, fourth quarterly meeting, December 21, 2005
District VI Advisory Board, January 9, 2006
Board of Code Standards and Appeals, February 6, 2006
Board of Park Commissioners, February 13, 2006
Housing Advisory Board, February 15, 2006
Wichita Public Library, February 2006
District III Advisory Board, March 1, 2006
Wichita Employee's Retirement Board, March 15, 2006

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

Agenda Report No. 06-0376

Dondlinger and Sons Construction Co., Inc. is continuing the construction of the Central Rail Corridor and as the project continues there will be numerous phases of the work which will require street closures. The contractor is asking the City Council for advanced approval of street closures related to this project with the restrictions identified below.

This general request is being made because of the number of closures that will be required and the somewhat uncertain timing of some of them. It is our opinion that the approval of this Agenda Item will save considerable time while still accomplishing the necessary public notifications. Dondlinger and Sons Construction Co., Inc. is responsible for the placement of the required detour and construction signs and barricades and the notification of area businesses and residents. The general plan would be:

- Notice letters would be delivered to applicable businesses and residents a minimum of five days before a street closure.
- Message boards will be installed five days before each street closure to notify local traffic.
- No two consecutive streets along the railroad corridor will be closed at the same time - as stated in the project specifications.

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- Street closures will only take place for (1) removal of bridges, (2) setting new bridge girders, (3) installing utility lines (storm water sewers) under the new bridges close to the center line of the roadway, (4) critical short term activities to protect the traveling public and road workers. These short term activities may include bridge deck concrete pours, bridge lighting installation, bridge painting and other activities where the project management team agrees that a street closure is the only option available to complete the work while protecting the safety of both the workers and the traveling public.
- The City Council will be informed of these closures through the Council Newsletter and the information will be shown on the City's weekly Construction Projects List.

When street closures require a detour the following detour routes will be used if possible:

Central traffic will be detoured using St. Francis, Murdock and Washington streets.

Murdock traffic will be detoured using St. Francis, Central and Washington streets.

Eastbound 13th St. traffic will be detoured using Emporia, 17th and Mosley streets.

Westbound 13th St. traffic will be detoured using Mosley, 17th and St. Francis streets.

2nd St. traffic will be detoured using Washington, Central and Topeka streets.

1st St. traffic will be detoured using St. Francis, Douglas and Washington streets.

Motion--
--carried

Mayans moved that the street closures be approved as required by the construction of the Central Rail Corridor Project with the restrictions identified above. Motion carried 7 to 0.

CLAIMS

REPORT ON CLAIMS ALLOWED FOR 2006:

<u>Name of Claimant</u>	<u>Amount</u>
Brake, Larry	\$85.07
Klutts, Michael	\$822.40
Leslie, Edye	\$528.86
Loveland, Bill	\$150.22
Ontiveros, Carrie	\$133.18**
Rose, Dallas	\$300.00
Winqvist, Deborah	\$535.00

** Settled for lesser amount than claimed.

Motion--carried

Mayans moved that the file be received. Motion carried 7 to 0.

SCULPTURE MAINT SCULPTURE MAINTENANCE CONTRACT.

Agenda Report No. 06-0338

The 2006 budget provides funds to maintain the various public art pieces that are owned and maintained by the City. This allocation represents City programmed funds for maintenance of these donated sculptures and constructed artwork in various areas of the City. The existing collection is in need of maintenance and repairs due to vandalism and damage resulting from weather and environmental elements. The City issued RFP's to qualified firms to perform this work. The firm of Gotta Corporation is the recommended business to perform this contract work.

The contract provides for various elements of work, these include such items as semi-annual maintenance cycles during the spring and fall of 2006 with specific tasks as:

- Submission of digital photo documentation of sculpture & site location (on or before November 2006).
- Submission of digital photo documentation of vandalism or damage to sculptures.
- Submission of condition reports, including: descriptions and dimensions of sculpture environmental elements around sculpture; visual identification of materials of Sculpture & base; assessment of structural integrity of sculpture, base; and possible damage to sculpture

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from environmental elements; cleaning of sculpture; and reviews with staff on assessments, conditions and long-term preventative maintenance programs.

In addition, written reports for each sculpture will include historical information, fabrication details, installation date, site background and related activities will be provided.

A budget allocation for this work totals \$50,000. The cost submitted by the contractor for 2006 is \$49,970.00, based on the written inventory submitted by Gotta Corporation. Sculptures that are not on the inventory will be billed at a cost of \$55 per hours, plus expenses.

Motion--carried

Mayans moved that the contract with Gotta Corporation be approved. Motion carried 7 to 0.

FOXRIDGE ADD

RESPREAD ASSESSMENTS: FOX RIDGE ADDITION, NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER. (DISTRICT V)

Agenda Report No. 06-0339

The landowners, Matthew J. & Julie A. Brown and Craig & Michelle Sellens have submitted an Agreement to respread special assessments within Fox Ridge Addition.

The land was originally included in a number of improvement districts for several public improvement projects. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvements.

There is no cost to the City.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

STREET RESURF.

STREET RESURFACING PROJECT ON KELLOGG FROM WEBB ROAD TO THE EAST CITY LIMITS. (DISTRICT II)

Agenda Report No. 06-0340

The Kansas Department of Transportation (KDOT) has available a street resurfacing (KLINK) program for cities which have highway connecting links within the their city limits. The KLINK program is intended for resurfacing improvements on the connecting links, which are maintained by the cities.

KDOT has advised the City of Wichita that KLINK Fiscal year 2008 funds in the amount of \$200,000 have been allocated for a resurfacing project on Kellogg from approximately one-quarter mile west of Webb Road to the east city limits.

The estimated total cost of this project is \$400,000. The attached Agreement provides that KDOT will reimburse the City in the amount of fifty percent of the approved construction cost including construction engineering and contingencies, but not to exceed a maximum of \$200,000.

Funding in the amount of \$200,000 is available in the Street Maintenance Operating budget for the local portion of the cost of this project.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

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CASA BELLA

CONSTRUCTION ENGINEERING AND STAKING IN CASA BELLA ADDITION, NORTH OF PAWNEE, WEST OF 127TH STREET EAST. (DISTRICT II)-SUPPLEMENTAL.

Agenda Report No. 06-0341

The City Council approved the storm water drainage improvements in Casa Bella Addition on December 20, 2005. On January 24, 2006 the City approved an Agreement with Ruggles & Bohm, P.A. (R&B) to design the improvements. The Design Agreement with R&B requires R&B to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and R&B provides for construction engineering and staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to R&B will be on a lump sum basis of \$41,100 and will be paid by special assessments.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

WATER MASTER PL

WATER MASTER PLAN UPDATE-SUPPLEMENTAL.

Agenda Report No. 06-0342

On June 3, 2003, the City Council approved a Contract with Burns & McDonnell Engineering Company, Inc. to provide engineering services for the Water Master Plan Update.

Burns & McDonnell Engineering Company, Inc. utilized the City's hydraulic computer model to assist them in determining future Capital Improvement Program projects. Prior to modeling the potable water distribution system, it was necessary for the engineer to make adjustments to the Geographical Information System shapefile. This part of the work had not been anticipated prior to starting the Water Master Plan Update. It is required, however, so that the engineer can geocode the electronic files for accuracy as outlined in the engineer's original Scope of Services.

The cost for Supplemental Agreement No. 2 for the Water Master Plan Update will not exceed \$9,073. Funds are available in CIP W-526, Water Master Plan, which has available funding of \$335,000.

The Law Department has reviewed and approved the Supplemental Agreement as to form.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

ELEC. REPAIR

ELECTRICAL REPAIR SERVICE-SELECTION OF VENDOR.

Agenda Report No. 06-0343

Various City departments require residential and commercial electrical repair services. To obtain the most qualified electrical repair service at a cost that would be most beneficial to the City, a Request for Proposal was sent to thirty-nine (39) vendors and four (4) responded.

A selection committee reviewed the proposals. Each proposal was evaluated on the basis of qualifications, experience, references, and costs. Based on this criteria, Shelley Electric, Inc. was selected for the electrical repair services.

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The contract will not obligate the City to any specific purchases or volume of purchases on electrical repair services; it only provides the departments the ability to obtain electrical repair services from the most qualified, cost-effective vendor.

The Law Department will review and approve the contract as to form. The contract will be for one year with an annual renewal option for an additional two years.

Motion--
--carried

Mayans moved that the selection of Shelley Electric, Inc. for the electrical repair services be approved and the necessary signatures authorized. Motion carried 7 to 0.

REED'S COVE

AGREEMENT TO RESPREAD ASSESSMENTS: REED COMMERCIAL AND REED'S COVE THIRD ADDITIONS, SOUTH OF 21ST STREET NORTH, EAST OF 127TH STREET EAST. (DISTRICT II)

Agenda Report No. 06-0344

The landowners, 21/127, L.C.; Nies Homes, Inc.; Ritchie Building Company, Inc.; Ink Residential Group, LLC; Robl Construction, Inc.; and Ann M. Ross have submitted an Agreement to respread special assessments within Reed Commercial and Reed's Cove 3rd Additions.

The land was originally included in an improvement district for a storm water drain project. The purpose of the Agreement is to respread special assessments to more fairly distribute the cost of the improvement.

There is no cost to the City.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

FONTANA ADD.

CONSTRUCTION ENGINEERING AND STAKING IN FONTANA ADDITION, EAST OF 119TH STREET WEST, NORTH OF 29TH STREET NORTH. (DISTRICT V)- SUPPLEMENTAL.

Agenda Report No. 06-0345

The City Council approved the storm water drainage improvements in Fontana Addition on November 22, 2005. On January 10, 2006 the City approved an Agreement with Professional Engineering Consultants, P.A. (PEC) to design the improvements. The Design Agreement with PEC requires PEC to provide construction engineering and staking services if requested by the City.

The proposed Supplemental Agreement between the City and PEC provides for construction engineering and staking the improvements. Due to the current workload created by previous projects, City crews are not available to perform the staking for this project.

Payment to PEC will be on a lump sum basis of \$60,200 and will be paid by special assessments.

The Supplemental Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Supplemental Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

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KDOT

AGREEMENT WITH THE KANSAS DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENT TO I-135/US-54 INTERCHANGE AND I-135 FROM LINCOLN TO HARRY. (DISTRICT I)

Agenda Report No. 06-0346

The Kansas Department of Transportation (KDOT) intends to improve the interchange of I-135/US-54 (ramps) and on southbound I-135 from Lincoln to Harry (bridge deck repairs, and changes to the lighting systems, signal systems, and pavement markings). Because this section of I-135 is located within the city limits and because the operation and maintenance of I-135 and other federal and state highway connecting links are covered by another agreement between the State and City, it is necessary for the City and KDOT to enter into an agreement for this construction project.

The Agreement authorizes the work to be done within the city limits. It contains a provision whereby the City and KDOT shall mutually agree on how traffic will be handled during construction. I-135 traffic and access through local streets is maintained.

There is no cost to the City associated with this Agreement.

The City/State Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

SHADOW WOODS

SHADOW WOODS ADDITION, WEST OF 135TH STREET WEST, NORTH OF MAPLE. (DISTRICT V)

Agenda Report No. 06-0347

The City Council approved the water distribution system and paving improvements in Shadow Woods Addition on July 20, 2004.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of water distribution system and paving in Shadow Woods Addition. Per Administrative Regulation 7a, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Baughman will be on a lump sum basis of \$30,100 and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

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HARVEST ADD. HARVEST RIDGE ADDITION, WEST OF MAIZE, SOUTH OF 31ST STREET SOUTH, DISTRICT IV)

Agenda Report No. 06-0348

The City Council approved the water distribution system, sanitary sewer and paving improvements in Harvest Ridge Addition on July 15, 2003.

The proposed Agreement between the City and Baughman Company, P.A. provides for the design of bond-financed improvements consisting of water distribution system, sanitary sewer and paving in Harvest Ridge Addition. Per Administrative Regulation 7a, staff recommends that Baughman be hired for this work, as this firm provided the preliminary engineering services for the platting of the subdivision and can expedite plan preparation.

Payment to Baughman will be on a lump sum basis of \$40,200 and will be paid by special assessments.

The Agreement has been approved as to form by the Law Department.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

29th STREET IMPROV 29TH STREET NORTH IMPROVEMENT, BETWEEN MAIZE AND TYLER. (DISTRICT V)

Agenda Report No. 06-0350

On November 23, 2004, the City Council approved a construction contract with Ritchie Paving, Inc. (now Lafarge of North America) to improve 29th St. North, between Maize and Tyler. In accordance with recommendations of the Art & Design Board and at the request of an adjoining developer, it was determined that curvilinear sidewalk should be constructed as part of the project. In addition, a culvert was needed to properly drain an adjoining residential property and additional concrete driveway work was needed.

A Change Order has been prepared for the additional work. Funding is available within the project budget.

The cost of the additional work is \$17,304, with the total paid by a combination of City-at-Large (\$3,460) and Federal Grants administered by the Kansas Department of Transportation (\$13,844). The original contract amount is \$2,323,766. This Change Order plus previous Change Orders represents 1.23% of the original contract amount.

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized. Motion carried 7 to 0.

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OAK CREEK ADD. STREET PAVING IN OAK CREEK ADDITION, SOUTH OF 21ST STREET, WEST OF GREENWICH. (DISTRICT II)

Agenda Report No. 06-0351

On September 13, 2005, the City Council approved a contract with Cornejo & Sons, Inc. for street paving in Oak Creek Addition, located south of 21st, west of Greenwich. A part of the work is the installation of a storm water sewer system. The developer of the subdivision has requested that the project scope be modified to: (1) accommodate a revised plat, (2) serve as an outfall for a future pond and (3) to avoid conflict with a group of large oak trees.

A Change Order has been prepared for the cost of the additional work. Funding is available within the project budget.

The cost of the additional work is \$34,475 with the total paid by special assessments. The original contract amount is \$930,528. This Change Order represents 3.7% of the original contract amount.

The Law Department has approved the Change Order as to legal form. The Change Order amount is within the 25% of construction contract cost limit set by City Council policy.

Motion--
--carried

Mayans moved that the Change Order be approved and the necessary signatures authorized. Motion carried 7 to 0.

PROP. ACQUIS. ACQUISITION OF LAND AND DEVELOPMENT OF SITE FOR EXPLOSIVE DISPOSAL FACILITY.

Agenda Report No. 06-0352

The Wichita Police Department has the only civilian explosive ordinance disposal (EOD) facility in south-central Kansas. This range is used to provide explosive disposal services to sixty-eight counties in south-central, southeastern and western Kansas. The range is currently located on the City-owned parcel near K-96 and West Street. The City-owned land is programmed to be developed as a regional park. The site has been leased to a private entity for sand production with the resulting sand pits to be developed into water amenities for the park. This process necessitates the relocation of the EOD range.

Federal law requires a one-half mile clear zone in all directions to be able to detonate a significant device (approximately 10 pounds). Pipelines, rail lines or significant utilities cannot transect the range. There should be no inhabited structures, roadways, etc. in the clear zone. Significant development should not be in the immediate vicinity. The site should have reasonable proximity to Wichita and good transportation connectors. Utilizing these parameters, a search was undertaken for a replacement site. An acceptable site has been located. The parcel is bounded by 327th and 343rd Streets West and 111th and 103rd Streets South in southwestern Sedgwick County. It is about 3 miles west of Highway K-42. There is a 20 acres farmstead at the southeast corner of the section, which is so located as to have minimal impact on use. Two parties own the remaining 620 acres. They originally wanted \$3,000 per acre for the land but have agreed to accept \$2,150 per acre. Assuming 620 actual acres, the purchase price will be \$1,333,000. Once acquired, the site will need to be fenced, explosives storage bunkers will need to be constructed, an access road to the bunkers will need to be built as well as an operations shed. The total cost of development is estimated at \$500,000.

A budget of \$1,850,000 is requested. This includes \$1,333,000 for the land acquisition, \$500,000 for required site improvements, and \$17,000 for survey costs, title insurance and other closing costs. The funding source is General Obligation Bonds.

The Law Department has approved the contracts as to form.

Motion--
--carried

Mayans moved that the budget be approved; the bonding resolution adopted; the real estate purchase contracts approved and the necessary signatures authorized. Motion carried 7 to 0.

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RESOLUTION NO. 06-159

A Resolution determining the advisability of making certain public improvements in the City of Wichita, Kansas, and setting forth the general nature and the estimated cost of such improvements; authorizing and providing for the making and financing of the improvements in accordance with the findings of the governing body; and directing the publication of this resolution, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

PROP. ACQUIS.

SALE OF SURPLUS LAND IN THE 6500 BLOCK OF WEST CENTRAL. (DISTRICT V)

Agenda Report No. 06-0353

An offer has been received for City-owned land on the north side of Central Avenue between the Big Ditch and the Big Slough. The subject consists of two parcels of undeveloped land; one along the west edge of the levee for the Big Ditch and the second is a remnant of a parcel bisected by the Big Slough. The land was acquired in conjunction with the construction of the Big Ditch and improvements to Central. The tract along the Big Ditch contains approximately 5.63 acres. It extends for approximately one-half mile north along the levee. It is 160 feet wide at the south, narrowing to 55 feet wide for most of its length. The second parcel has about 16,100 square feet and varies in width from 35 to 80 feet. Neither parcel is developable without additional land.

The buyer owns all the land between the Big Ditch and the Big Slough except the two subject parcels. The acquisition will provide him with frontage on Central and enough width further north to develop his land. He will build a road along the east edge of the parcel to access his future development and to provide the City access to the Big Ditch levee. The buyer has offered \$4,000 for the City's interest in the land. The City does acquire both parcels as easements for road and/or floodway purposes. It will be the buyer's responsibility to secure fee title to the property.

The City will receive cash consideration from the sale of the property at closing. Upon sale, the property will return to the tax rolls and the City will no longer be responsible for maintenance.

The Law Department has approved the contracts as to form.

Motion--
--carried

Mayans moved that the Real Estate Purchase Contracts be approved and the necessary signatures authorized. Motion carried 7 to 0.

CONSOL. PLAN

CONSOLIDATED PLAN-2006/2007 ONE-YEAR ACTION PLAN.

Agenda Report No. 06-0354

On March 21, 2006, the City Council approved funding allocations for the 2006/2007 Consolidated Plan. The proposed One-Year Action Plan includes allocations for Community Development Block Grant (CDBG), HOME Investment Partnership (HOME), and Emergency Shelter Grant (ESG) funds. To receive these federal funding allocations, HUD requires cities to prepare a One-Year Action Plan listing eligible projects and services to be undertaken, their location and proposed activities. The proposed One-Year Action Plan must be submitted for public comment prior to final adoption by the City Council.

The City's proposed 2006/2007 One-Year Action Plan lists the federal resources available from the CDBG, HOME and ESG programs to address priority needs (as adopted by the City Council). The One-Year Action Plan provides a description of the activities approved and the location of the activities to be undertaken during the fiscal year. The 2006/2007 One-Year Action Plan covers the period beginning July 1, 2006 and ending June 30, 2007.

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The 2006/2007 One-Year Action Plan totals \$5,821,995 and is comprised of grant funds in the amount of \$4,816,509 and prior year program income of \$1,005,486.

The City has met all federal requirements to proceed with issuance of a proposed One-Year Action Plan.

Motion--
--carried

Mayans moved that the public comment period for the proposed 2006/2007 One-Year Action Plan, to begin on April 5, 2006 and end on May 6, 2006 be authorized. Motion carried 7 to 0.

HOME PROGRAM

HOME PROGRAM; HOUSING DEVELOPMENT LOAN PROGRAM FUNDING AND RE-ALLOCATION OF FUNDS.

Agenda Report No. 06-0355

During the 2005-2006 Consolidated Plan funding process, a total of \$302,276 in HOME funding was allocated for the Housing Development Loan Program (HDLP). The City Council also allocated \$400,000 in funding for the HOMEownership 80 Program. The HDLP is designed to provide subsidies for infill housing projects and to support the development of real estate that is idle or underutilized, and to provide needed housing for underserved populations. Funding may be provided to non-profit or for-profit organizations. The loan structure is dependent upon the type of project to be financed. The program funding may be utilized within the boundaries of the City's Redevelopment Incentives Area. Requests for funding under the program are received through an open application basis.

The HOMEownership 80 Program provides zero-interest deferred loans for down payment and closing costs assistance for income-eligible families purchasing homes for owner-occupancy in the City's targeted areas. Eligible families purchasing homes developed with funding from the HDLP will receive a loan for down payment and closing costs through the City's HOMEownership 80 program. In the case of new construction, an income-qualifying family receives up to 20% of the purchase price in down payment assistance, and an additional \$2,000 for closing costs.

The Housing and Community Services Department received three applications for HDLP funding, however limited fund availability results in funding recommendations for the following two agencies:

Power CDC/Millair Creek: Power CDC, a Community Housing Development Organization (CHDO) has applied for \$200,000 in HDLP funding to continue construction of single-family homes in the Millair Creek subdivision, which is located at 25th and Minnesota, in the Northeast Local Investment Area. Power CDC has completed 17 homes and there are 4 homes currently under construction. Power CDC has 2 lots remaining to be developed in the part of the subdivision for which infrastructure has been constructed.

Shadowridge LC: Shadowridge, LC, a for-profit development (Robert Snyder), has applied for \$105,000 in HDLP funding to continue construction of single-family homes in the Shadowridge subdivision, which is located at the intersection of Sunnybrook and Sunnybrook Ct. in the Planeview Local Investment Area. A total of 20 homes have been completed and sold within the subdivision with previous funding provided through the HDLP. There are five lots remaining to be developed.

Each of the proposed projects will require HOME program subsidy. HOME funds are usually provided as development subsidy in order to offset site acquisition, construction, and site improvement expenses, as well as selling expenses and developer fees. The total of these costs cannot be entirely recovered from sale proceeds due to market constraints and the need to keep the homes affordable for low-income families. Typically, the development subsidy for homes constructed with HOME program funding is between \$20,000 and \$30,000, depending on the cost of acquisition, and whether or not demolition is involved. Homes sell for a maximum price of \$85,700.

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Housing Services staff has determined that all of the aforementioned applications meet the criteria of the HDLP, and that each project will assist the City in achieving its neighborhood revitalization and consolidated plan goals. Therefore, staff recommends funding of each application as follows:

Power CDC: \$54,200, in order to construct homes on the two remaining lots on the west side of the Millair Creek addition.

Shadowridge LC: \$105,000, in order to construct homes on the five remaining lots in the Shadowridge addition.

As part of this action, Housing and Community Services is also requesting re-allocation of the remaining \$143,076 originally allocated to the HDLP to the HOMEownership 80 Program, along with \$150,000 in unallocated funding available due to the receipt of program income from completed projects. Increased production by CHDOs and private developers utilizing funding from the HDLP, as well as CHDO set-aside and the Boarded-up HOME Program has made it necessary to increase funding for the HOMEownership 80 program so that completed homes may be sold.

HOME funding for the proposed HDLP projects will be provided in the form of zero-interest, forgivable participation construction loans. Typically, local banks provide construction loans equivalent to 75% of the appraised value of the home to be constructed. Allocated funding will provide for construction of up to a total of 7 homes under the proposed projects.

Funding provided under the Housing Development Loan program must ultimately be approved by the City Council. The funding agreements have been drafted by Housing and Community Services staff and approved as to form by the City Law Department. Assistance loans provided to homebuyers for the purchase of homes constructed under the HDLP are secured with a mortgage on the property. The mortgage serves as the long-term deed restriction required under the HOME regulation in order to preserve affordability.

Motion--
--carried

Mayans moved that the recommended HDLP allocations and the recommended HOMEownership 80 allocations be approved and the necessary signatures authorized. Motion carried 7 to 0.

BOND COUNSEL

APPROVAL OF BOND COUNSEL CONTRACT.

Agenda Report 06-0356

On March 21, 2006, City Council approved the recommendation of a staff screening and selection committee to select the firm of Kutak Rock LLP as the City's contract Bond Counsel, and directed staff to negotiate a contract with Kutak Rock LLP for Bond Counsel services.

The contract has been drafted for a four-year term, and is based on the content of the City's RFP and the firm's response. As with previous Bond Counsel contracts, the contract is non-exclusive and does not prevent the City from retaining additional or different Bond Counsel for a particular financing, should the need arise. The regular practice of the City for a number of years has been to use its general Bond Counsel for IRB projects, except in cases of conflict, in order to prevent applicants, underwriters or other parties interested in a financing from engaging in opinion-shopping before bringing a project to the City.

As under the previous contract, payments for bond counsel services will generally be made from bond proceeds, or, in conduit financings (such as industrial revenue bond issues) from funds provided by the business on whose behalf the bonds are issued.

The City Attorney's Office has prepared the contract and approved it as to form.

Motion--
--carried

Mayans moved that the contract be approved and the necessary signatures authorized. Motion carried 7 to 0.

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SIDEWALK ASSES

SIDEWALK REPAIR AND SIDEWALK CLEANING ASSESSMENT PROGRAM. (DISTRICTS I, II, III, VI)

Agenda Report No. 06-0357

State Law and City Policy provide that sidewalk maintenance is the responsibility of abutting property owners. When sidewalk trip hazards are identified, property owners are required to make repairs, either with their contractor or with the City's contractor, or clean the sidewalk if needed. Property owners who use the City's contractor have the opportunity to spread the cost over five years as a special assessment.

Ordinances have been prepared to establish authority to use special assessment funding for the current list of repaired and cleaned sidewalks.

Statements of Charges will be mailed to the property owners on April 14, 2006. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The interest added to the principal amount will be determined by the rate at which the February 2006 bond sold. The principal and interest will then be spread over 5-years and placed on the 2006 tax roll.

These assessments are in accordance with City Code 12.18. The Ordinances have been approved as to form by the Department of Law.

Motion--carried

Mayans moved that the ordinances be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance making a special assessment to pay for the improvement of and providing a tax levy for the cost of construction of sidewalks in the City of Wichita, Kansas, introduced and under the rules laid over.

ORDINANCE

An Ordinance making a special assessment to provide a tax levy for the cost of sidewalk cleaning in the City of Wichita, Kansas introduced and under the rules laid over.

EQUUS BEDS

EQUUS BEDS AQUIFER STORAGE AND RECOVERY PROJECT, (PHASE 1).

Agenda Report No. 06-0358

On January 8, 2002, the City Council approved a Contract with Burns & McDonnell Engineering Co. to provide engineering and design services for Phase I of the Equus Beds Aquifer Storage and Recovery Project (ASR). On August 31, 2004, City Council approved a Memorandum of Understanding with the Equus Beds Groundwater Management District (GMD) that led to the unanimous recommendation by the GMD for approval of the City's applications for water rights for Phase I of the ASR project. January 10, 2006, City Council approved a Contract with CAS Construction to do a design/build to construct a 7 MGD surface water treatment plant. On February 28, 2006, City Council approved a Supplemental Agreement with Burns & McDonnell to provide construction related engineering services, but excluded on-site inspection of the construction projects.

This phase of the ASR project has evolved into several construction projects. In order to provide appropriate inspection, Staff determined the best course of action is to obtain field inspection services for the projects independently from the design of the projects; therefore, the City did not enter into a Supplemental Agreement with Burns & McDonnell, but issued a separate Request for Proposals on March 1, 2006.

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In response to the RFP, five proposals were submitted. Proposals were received from Burns & McDonnell Engineering, MKEC Engineering, Poe and Associates, Professional Engineering Consultants, and Westshare Services, Inc. The Staff Screening and Selection Committee met and selected firms for presentations. On March 27, 2006, the Committee heard presentations and unanimously recommended Professional Engineering Consultants to provide the services.

The cost for the construction inspection services should not exceed \$255,863. Billing for the project will be based on actual hours spent on inspection services. The Agreement includes an estimate for engineering compliance tests, but the cost for tests will be a pass-through cost as needed for the project. Funding is included in CIP W-549, Water Supply Plan Phase III, which has available funding of over \$29 million in 2006.

The Law Department will approve the Agreement as to form.

Motion--
--carried

Mayans moved that the Agreement be approved and the necessary signatures authorized. Motion carried 7 to 0.

SETTLEMENT

SETTLEMENT OF LITIGATION.

Agenda Report No. 06-0359

In February 2004, an incident occurred involving a citizen and police officers. Under circumstances that were tense, uncertain and rapidly evolving, the police officers reasonably believed that the citizen posed an immediate threat to their safety because of his actions, thus resulting in the citizen being shot by one of the officers. The citizen suffered substantial injuries. The citizen filed a civil rights lawsuit regarding the incident.

After investigating the claims, evaluating the extent of the claimed damages, and considering the risks of trial, the City determined that a resolution of this matter is appropriate. After some discussion, the City has been offered an opportunity to resolve the claim with a lump sum payment of \$4,750,000 as full settlement of all claims arising out of this incident. Because of the risks associated with litigation, the Law Department recommends acceptance of the offer. The City does not admit any liability in making the settlement.

Funding for this settlement payment is from the Self Insurance Reserve Fund.

The Law Department recommends acceptance of the offer of settlement.

Motion--
--carried

Mayans moved that the payment as a full settlement of all possible claims arising out of the incidents that are the subject of the litigation be authorized. Motion carried 7 to 0.

ORDINANCE

SECOND READING ORDINANCE: (FIRST READ MARCH 28, 2006)

a) A06-10R-generally located east of 127th Street East, between Harry and Kellogg. (District II)

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Mayans moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans. (A06-10)

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OLD BUSINESS

WATER PROJECTS

WATER SUPPLY PROJECTS.

David Warren

Water and Sewer Director reviewed the item.

Agenda Report No. 06-0360

On October 3, 2000, City Council approved, and instructed Staff to begin implementation of the Concept Design Plan for the Integrated Local Water Supply Plan. The Integrated Local Water Supply Plan (ILWS Plan) includes the use of a number of local water supply sources, which will be used together to meet the City's water supply needs through the year 2050. Since the approval of the ILWS Plan, Staff has continued to evaluate alternative water treatment technologies to see if the use of the technologies could help optimize the components of the plan.

On January 8, 2002, City Council approved a Contract with Burns & McDonnell Engineering Co., Inc. to provide engineering and design services for Phase I of the Equus Beds Aquifer Storage and Recovery (ASR) Project. Phase I of the ASR Project was to design seven (7) diversion wells and six (6) recharge facilities with a capacity of 10 million gallons per day (MGD). On January 10, 2006, City Council approved a Design/Build contract with CAS Construction to build a 7 MGD surface water treatment plant.

The projects that are components of the Water Supply Plan have been included in the CIP since 2000, but because of the need to wait for approval from state agencies, the funds for the projects have been adjusted to different years in the CIP. The state granted the approvals necessary to begin construction of the first phase of the ASR project in August of 2005. Staff is working to have those projects completed by September of 2006, so that the facilities can be used during the wet weather periods experienced in the fall. Because of adjustments to the CIP while awaiting state approval, the needed funds have not been allocated for projects that have been initiated.

The Capital Improvement Program W-549, Water Supply Plan, includes \$29.88 million in the capital budget for years 2005 and 2006. \$17.0 million has been initiated thus far. Now that state approval has been received for the rest of the project, it is necessary to initiate the remainder of the funding which amounts to \$12.88 million. This will pay for construction costs, high line placement, and land and easement acquisition.

The Law Department has approved the Resolution as to form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the expenditures be approved; the amended Resolution adopted and the necessary signatures authorized. Motion carried 7 to 0.

RESOLUTION NO. 06-160

A Resolution amending Resolution No. 05-425 pertaining to the Water Supply Plan (W-549) in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Mayans moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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UNFINISHED BUSINESS

EATON PLACE

EATON PLACE REPAYMENTS. (DISTRICT I) **(DEFERRED MARCH 28, 2006)**

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Report No. 06-0324A

In 2001, the City of Wichita completed the Eaton Place project. The Eaton Place project was a \$15.3 million dollar public-private partnership between the City and MetroPlains Development, LLC, a Minneapolis, Minnesota based developer. The intent of the project was to restore the last complete historic block on Douglas Avenue and produce 115 units of mixed income apartments and 30,000 square feet of commercial space on the first floor. The development achieved the community goals of saving the historic Eaton Block and added substantial new residential development in downtown Wichita. The residential component has been relatively successful, but the commercial space has substantial debt that is not being covered by rental income due to a large amount of vacant space and lower rental rates.

The City of Wichita provided a total of \$1,174,000 in CDBG grants and loans and \$1,695,000 in HOME grants and loans for the Eaton Place project. Of these amounts, the City of Wichita provided a total of \$960,000 in CDBG and HOME funds in the form of loans for the residential portion of the project to fill an equity gap rather than downsize the scope of the project. These City loans are structured as debt on the residential component and are subordinate to the industrial revenue bonds and equity. The loans were approved November 3, 1999 and December 22, 1999 and were issued on September 15, 2000. The loans have a 5% interest rate and are payable from excess cash flow from the project. Any unpaid principal or interest is due upon sale of the property. The loans are secured by a mortgage and security agreement on the residential property. The residential loans were originally projected to pay off starting in 2029, taking several years thereafter to be fully paid. Any principal and interest repayments for the CDBG and HOME loans are program income and must be returned to the City of Wichita's CDBG and HOME programs.

In addition, for the commercial portion of the project, the City entered into a Lender Support Agreement with Bank of America (first mortgage holder) on May 4, 2000 to pay any shortfall in debt service for the commercial first mortgage. The City's obligation is capped at not more than \$165,000 per year for 7 years from the date of the term loan (2008), or not more than \$1,155,000 in total. To date, the City has paid Bank of America \$470,089 in Lender Support payments. The maximum additional liability of the City under the Lender Support Agreement is estimated at \$684,911. The Lender Support Agreement requires MetroPlains, LLC repay any amounts paid by the City under the Lender Support Agreement

MetroPlains Development, LLC has a one-time opportunity to buy out the investment of the limited partner, U.S. Bank, for the residential portion and the commercial first mortgage loan with Bank of America and replace them with private equity capital. MetroPlains cannot raise the replacement equity capital with the current City loans and City Lender Support payments outstanding. MetroPlains claims that it will not receive any payments under the refinancing.

MetroPlains Development, LLC proposes to end the City's Lender Support payments to Bank of America by refinancing the commercial first mortgage and pay the City an amount that equals the present value of the amounts previously paid under the Lender Support Agreement (\$470,089) and the CDBG/ HOME loans \$960,000 plus interest.

After several rounds of negotiations, the City and MetroPlains have agreed to the following repayment terms:

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City keeps tax rebate check of \$13,160.

City receives present value of the CDBG and HOME loans with interest and the amounts paid by the City under the Lender Support agreement at 4% compounded yearly. The loans, payments and interest is as follows:

CDBG Loan	\$750,000.00
HOME Loan	\$210,000.00
Interest on CDBG and HOME Loans	\$256,150.63
Payments under the Lender Support Agreement	\$470,089.81
Total	\$1,686,240.44

Present Value Payment to the City	\$427,319.41
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The present value of \$427,319.41 will be disbursed as follows: CDBG-\$238,871.55; HOME-\$69,225.74 and \$119,222.12 to the Self-Insurance Fund. There is no profit sharing with the City if Eaton Place is not sold. MetroPlains would end City Lender Support payments to Bank of America by refinancing the commercial first mortgage.

If Eaton Place property is sold during the next five years, City receives the following additional payment:

Year 1-100%	\$1,200,000
Year 2-100%	\$1,200,000
Year 3-75%	\$ 900,0000
Year 4-50%	\$ 600,000
Year 5-33%	\$ 400,000

HUD has confirmed the City Council may accept the present value repayment for the CDBG and HOME loans, however the 26 HOME affordable rental units must continue to remain affordable for balance of the HOME affordability which is 16 years. The full HOME affordability standard is 20 years. If the units do not remain affordable for the remaining 16 years, the City is liable for payment of the face value of the \$210,000 HOME loan and the \$1,485,000 HOME grant to HUD from non-HUD sources.

The original HOME funding agreement and the formal deed restrictions/compliance agreement contain a requirement for MetroPlains to meet the HOME affordability standards. These 26 affordable units also carry a 30-year affordability (federal and state) requirement under State Housing Tax Credit program.

The Loan Prepayment and Termination Agreement, Lender Support Termination Agreement, and the Pledge of Partnership Interests Agreement, Home Regulatory Agreement forms have been approved as to form by the City Attorney's office. HOME restrictive covenants on the affordable units will remain in place until the full 20 year HOME affordability term expires. A separate UCC Financing statement shall be filed to perfect the City's security interest.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard.

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Rickie Coleman

Ms. Coleman stated that she is with the Sunflower Community Action and after reading the Eaton article they were really excited to think some money would be coming back into the city fund and that they are hoping that some of that money will come into the City and they can fund the pilot program for the cameras in the police vehicles. Stated that if there is a possibility of the money coming back, this would be where they could start their pilot program and when they meet with their Topeka legislators next week and their Washington, D.C. legislators and representatives in May, they will have a pilot program and money and if the City will back it, they will send money to help them with this program. Stated that they would like to be kept in consideration so that they can get the pilot program started.

Motion--
--carried

Mayans moved that the repayment terms be approved and the necessary signatures authorized. Motion carried 6 to 1, (Nay-Mayans).

NEW BUSINESS

PRAIRIE VILLA

PUBLIC HEARING AND ISSUANCE OF INDUSTRIAL REVENUE BONDS, PRAIRIE VILLA AT BEACON HILL, LLC. (DISTRICT I)

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Report No. 06-0361

On February 8, 2005, the City Council approved a Letter of Intent to issue IRBs in the amount of \$4,700,000, to Prairie Villa at Beacon Hill, L.C. ("Prairie Villa"). The proceeds of the bonds will be used to finance the cost of acquiring, constructing and equipping a senior apartment facility to be located at 2395 North Beacon Hill Street in northeast Wichita. The Company is requesting the issuance of Industrial Revenue Bonds in the amount not-to-exceed \$4,700,000.

Prairie Villa is an asset limited liability company in which the main principals have been engaged in the federal tax credit program for over ten years and have developed and owned in excess of over twenty projects in the State of Kansas. Prairie Villa is a senior duplex apartment facility that includes thirty duplexes containing 60 energy efficient 2-bedroom units each with an attached garage. The complex also includes a community clubhouse, gazebo, and walking paths for residents as well as generous green area.

An estimated analysis of the uses of project funds is:

USES OF FUNDS

Construction Costs	\$4,700,000
Total Project Costs	\$4,700,000

The firm of Hinkle Elkouri Law Firm, L.L.C., serves as bond counsel in the transaction. Bonds will be privately placed with a construction lender selected by the applicant. Prairie Villa has complied with the City's requirements contained in the Letter of Intent.

Prairie Villa agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Prairie Villa does not request property tax abatement in conjunction with the IRBs. Sales tax exemption on purchase of bond-financed property will save Prairie Villa an estimated \$150,000. The developer has offered to share the sales tax savings with the City by paying an additional up-front fee of \$20,000.

Bond documents needed for the issuance of the bonds have been prepared by bond counsel. The City's Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds. Prairie Villa at Beacon Hill is eligible under the new Economic Development incentive policy since they provide affordable housing for senior residents.

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Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--

Brewer moved that the public hearing be closed; the Bond Ordinance authorizing the execution and delivery of documents for the issuance of Industrial Revenue bonds in an amount not-to-exceed

--carried

\$4,700,000 be placed on first reading and the necessary signatures authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance authorizing the City of Wichita, Kansas, to issue its taxable Industrial Revenue Bonds for the purpose of providing funds to acquire, construct and equip a residential rental facility located in the City of Wichita, Kansas; prescribing the form and authorizing execution of various documents relating to the issuance of and security for the bonds, the lease of the residential rental facility to Prairie Villa at Beacon Hill, L.C., and the sale of the bonds, introduced and under the rules laid over.

COMPLIANCE RPT

COMPREHENSIVE COMPLIANCE REPORT.

Allen Bell

Economic Development Administrator reviewed the item.

Agenda Report No. 06-0362

The City of Wichita provides various financial incentives to attract and encourage business expansions. These include Industrial Revenue Bond (IRB) financing, Economic Development Tax Exemptions (EDX), CDBG loans and grants, and HOME funding. Monitoring is performed to ensure compliance with conditions associated with issuance of revenue bonds, tax exemption approval, CDBG funding, and HOME funding. The attached Comprehensive Compliance Report provides an analysis of the current status of compliance relative to participating businesses and agencies for the years 1994 through 2004.

The Comprehensive Compliance Report reflects specific compliance conditions and current status of projects receiving City assistance through IRB, EDX, CDBG and HOME programs. During 2005, ten IRBs were issued, six EDX approval, 320 CDBG contracts were awarded, and two HOME-funded multi-family projects were completed.

As a requirement of the City's new Economic Development Incentive Policy, there are a number of conditions that must be met before City Council approval. Compliance criteria for IRB and EDX include advertising for minority contractors, submittal of water conservation measures and an environmental assessment, and having site plans reviewed by a design council if building construction is involved. There are also a number of compliance conditions that are required on an ongoing basis such as submittal of an Equal Employment Opportunity/Affirmation Action Plan, paying an annual administrative service fee, job creation, and capital investment. For example, in 2005, all IRB and EDX companies are in compliance with the requirement to have an EEO/AA plan on file. Ninety-nine percent of all companies are in compliance with the IRB administrative fee requirement. As a result of the IRB and EDX projects that were approved in 2005, 996 new jobs will be created and Wichita businesses report a capital investment of over \$231.3 million. This compares to 219 jobs created and \$185.7 capital investment in 2004.

In order for projects to be approved for CDBG funding, the project must benefit low or moderate-income persons, or eliminate slum or blighting condition. The 2005 Comprehensive Compliance Report reflects 224 CDBG contracts were awarded with a total value of \$2.5 million. The percentage of minority contractor participation is 30%.

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Developer/Project owners requesting HOME funding for residential apartment projects must contractually agree to maintain a certain number of affordable apartment units for income-qualified individuals/families. These units must be offered at rents that comply with HOME program regulations for a predetermined period of time (affordability period), which is based on the amount of HOME funds invested and project type. In addition, apartment units must be maintained in compliance with local housing standards during the affordability period. The Comprehensive Compliance Report reflects nine HOME funded projects valued at \$3.4 million, since 1994. There were two HOME-funded multi-family projects completed during 2005.

Conditions of compliance are monitored regularly by City staff through annual on-site monitoring visits, contractor and subcontractor interviews, required annual monitoring surveys, annual recertification's, review of certain contractor and subcontractor payrolls, and review of required submittals. Businesses and agencies not in compliance are notified and required to work with City staff for the purpose of full compliance with all conditions.

There are no financial considerations.

There are no legal considerations.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the Comprehensive Compliance Report be received and filed.
Motion carried 7 to 0.

PAWNEE IMPROV.

PAWNEE IMPROVEMENT BETWEEN A POINT APPROXIMATELY 650 FEET WEST OF PALISADE AND BROADWAY. (DISTRICT III)

Jim Armour

City Engineer reviewed the item.

(Council Member Fearey momentarily absent)

Agenda Report No. 06-0363

On October 18, 2005, the City Council approved a project to improve Pawnee, between a point approximately 650 feet west of Palisade and Broadway. Based on recent bid prices on similar projects, there is not sufficient funding within the approved budget to award a construction contract. An amending Ordinance has been prepared to increase the project budget.

The project will reconstruct Pawnee to provide four through lanes and a center two-way left turn lane. Construction is planned for 2006.

The current budget is \$1,700,000 with \$500,000 paid by the City and \$1,200,000 by Federal Grants administered by the Kansas Department of Transportation. The funding source for the City share is General Obligation Bonds. The proposed increased budget is \$2,093,892 with \$700,000 paid by the City and \$1,393,892 paid by Federal Grants. Funding for the City share of the budget increase is available from under expenditures in the Hydraulic improvement project between 57th St. South and 47th St. South.

The Law Department has approved the amending Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Skelton moved that the revised budget be approved; the amending Ordinance placed on first reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

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ORDINANCE

An Ordinance amending Ordinance no. 46-808 of the City of Wichita, Kansas declaring Pawnee, between Palisade and Water Street (472-84283) to be a main trafficway Within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

PETITION

PETITION TO REALIGN MCCORMICK BETWEEN LEONINE AND SOUTHWEST BOULEVARD. (DISTRICT IV)

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0364

On April 13, 2004, the City Council approved a Petition to relocate McCormick along the north perimeter of the Newman University campus. An attempt to award a contract within the budget set by the Petition was not successful. Newman University officials have submitted a new Petition with an increased budget. The signature on the new Petition represents 100% of the improvement district.

McCormick currently bisects the Newman University campus. Relocating the street to the north will create an opportunity for a central pedestrian mall linking the various campus buildings and reducing the mix of vehicular and pedestrian traffic.

The existing Petition totals \$1,263,000 with \$1,200,000 paid by the City and \$63,000 by special assessments to the University. It is estimated that an additional \$300,000 is needed to fund the project. The Petition provides that the City and University each fund 50% of the cost increase. As a result, the new Petition totals \$1,563,000 with \$1,350,000 paid by the City and \$213,000 by special assessments. The funding source for the City share is General Obligation Bonds. Funding for the increased City share is available from under expenditures in the Meridian improvement project between 31st St. South and Pawnee.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Gray moved that the Petition be approved; the Resolution adopted and the necessary signatures authorized. Motion carried 7 to 0.

RESOLUTION NO. 06-161

Resolution of findings of advisability and resolution authorizing pavement on McCormick, from Leonine to Southwest Boulevard, 472-83831 in the City of Wichita, Kansas, pursuant to findings of advisability made by the governing body of the City of Wichita, Kansas, presented. Gray moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Brewer, Fearey, Gray, Martz, Schlapp, Skelton, and Mayans.

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11TH ST. BRIDGE

11TH STREET BRIDGE AT THE DRAINAGE CANAL. (DISTRICT I)

Jim Armor

City Engineer reviewed the item.

Agenda Item No 06-0365

The 2005-2014 Capital Improvement Program (CIP) adopted by the City Council includes a project to improve the 11th St. Bridge at the Drainage Canal. District I Advisory Board sponsored a January 9, 2006, neighborhood hearing on the project. The Board voted 8-0 to recommend approval of the project.

The project will replace the existing bridge. Sidewalks will be built on both sides of the new structure. Gabion retaining walls (rock filled wire baskets) will be replaced along the channel under the bridge. Construction is planned to begin later this year.

The budget contained in the CIP is \$750,000 with \$250,000 paid by the City and \$500,000 by Federal Grants administered by the Kansas Department of Transportation. The original design concept was to rehabilitate the bridge. It has since been determined that the structure has deteriorated to the point that it should be removed and replaced. The current estimated cost is \$1,202,000 with \$650,000 paid by the City and \$552,000 by Federal Grants. The funding source for the City share is General Obligation Bonds. Funding for the budget increase is available from projected under expenditures in other bridge projects not ready for bid.

The Law Department has approved the authorizing Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Brewer moved that the project be approved; the Ordinance placed on first reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring the 11th Street North Bridge at the Wichita Drainage Canal (472-84396) be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

PROPOSED ASSESS.

PUBLIC HEARING ON PROPOSED ASSESSMENTS FOR TWENTY-TWO WATER PROJECTS, TWENTY-ONE SEWER PROJECTS AND THIRTEEN STORM SEWER PROJECTS IN JULY 2006 BOND SALE SERIES 786.

Jim Armour

City Engineer reviewed the item.

Agenda Report No. 06-0366

The City Council was notified on February 14, 2006 that the proposed assessment rolls were on file for public inspection in the Department of Finance.

Notice of hearing letters were published February 17, 2006 in the Wichita Eagle being not less than ten days prior to the date of hearing. All affected property owners have been notified in writing. Department of Finance and Public Works staff held an informal hearing March 6, 2006 at 11:00 a.m. for the water and sewer projects.

Statements of Special Assessment will be mailed to the property owners on April 14, 2006. The property owners have 30 days from date of statement to pay their assessment and avoid paying interest. The assessments not paid during this period will be in the July 2006 Bond Sale. The interest added to the principal amount will be determined by the rate at which the bonds sell. The principal and interest will then be spread and placed on the 2006 tax roll.

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These projects were initiated pursuant to provisions of KSA 12-6a01 et seq. as amended. All of the projects were 100% petitions with the exception of:

480-749 468-83804 Lateral 33, Main 1, Westlink Interceptor Sewer (Ordered In)
480-764 468-83831 Lateral 34, Main 1, Westlink Interceptor Sewer (66.67 % Petition)

- a) (470-926/448-89793) Construction of Water Distribution System No. 448-89793 TO SERVE SHADOW WOODS ADDITION, West of 135th Street West, North of Maple, as authorized by Resolution No. R-03-080, rescinded by Resolution No. R-04-361, adopted February 11, 2003 & July 20, 2004, and published February 15, 2003 & July 23, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$55,900.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- b) (470-882/448-89828) Construction of Water Distribution System No. 448-89828 TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central, as authorized by Resolution No. R-03-252, adopted May 20, 2003, and published May 23, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$81,600.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- c) (470-896/448-89838) Construction of Water Distribution System No. 448-89838 TO SERVE FOX RIDGE ADDITION, North of 29th Street North, between Maize & Tyler, as authorized by Resolution No. R-03-289, adopted June 10, 2003, and published June 13, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$47,000.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- d) (470-920/448-89868) Construction of Water Distribution System No. 448-89868 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-466, adopted September 9, 2003, and published September 12, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$11,500.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- e) (470-921/448-89869) Construction of Water Distribution System No. 448-89869 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-467, adopted September 9, 2003, and published September 12, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$25,000.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- f) (470-922/448-89870) Construction of Water Distribution System No. 448-89870 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-468, adopted September 9, 2003, and published September 12, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$24,000.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- g) (470-873/448-89908) Construction of Water Distribution System No. 448-89908 TO SERVE AVALON PARK 2ND ADDITION, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-661, adopted December 16, 2003, and published December 22, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$52,900.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

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- h) (470-908/448-89911) Construction of Water Distribution System No. 448-89911 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, as authorized by Resolution No. R-04-013, rescinded by Resolution No. R-05-074, adopted January 6, 2004 & March 1, 2005, and published January 9, 2004 & March 4, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$42,400.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- i) (470-879/448-89958) Construction of Water Distribution System No. 448-89958 TO SERVE SAND PLUM ADDITION, South of 45th Street North, West of Webb, as authorized by Resolution No. R-04-245, rescinded by Resolution No. R-04-624, adopted May 18, 2004 & November 23, 2004, and published May 21, 2004 & November 29, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$33,900.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- j) (470-878/448-89985) Construction of Water Distribution System No. 448-89985 TO SERVE SAVANNA AT CASTLE ROCK RANCH 10TH ADDITION, West of 143rd Street East, North of 13th, as authorized by Resolution No. R-04-356, adopted July 13, 2004, and published July 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$36,500.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- k) (470-893/448-89992) Construction of Water Distribution System No. 448-89992 TO SERVE HAWTHORNE 3RD ADDITION, North of 21st, East of 127th Street East, as authorized by Resolution No. R-04-424, adopted August 17, 2004, and published August 20, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$61,900.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- l) (470-890/448-89993) Construction of Water Distribution System No. 448-89993 TO SERVE HAWTHORNE 2ND & 3RD ADDITIONS, North of 21st, East of 127th Street East, as authorized by Resolution No. R-04-425, adopted August 17, 2004, and published August 20, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$58,400.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- m) (470-917/448-89998) Construction of Water Distribution System No. 448-89998 TO SERVE SHOAL CREEK 3RD ADDITION, West of 143rd Street East, South of Central, as authorized by Resolution No. R-04-565, adopted October 12, 2004, and published October 15, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$23,700.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.
- n) (470-895/448-90006) Construction of Water Distribution System No. 448-90006 TO SERVE REGENCY LAKES COMMERCIAL 2ND ADDITION, North of 21st, West of Greenwich, as authorized by Resolution No. R-04-540, adopted September 28, 2004, and published October 1, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$75,900.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a square foot basis.

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o) (470-892/448-90012) Construction of Water Distribution System No. 448-90012 TO SERVE WOODLAWN NORTH POINTE ADDITION, South of 29th Street North, East of Woodlawn, as authorized by Resolution No. R-04-567, adopted October 12, 2004, and published October 15, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$28,600.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

p) (470-905/448-90022) Construction of Water Distribution System No. 448-90022 TO SERVE SAWMILL CREEK ADDITION, East of Rock, North of 45th Street North, as authorized by Resolution No. R-04-619, adopted November 16, 2004, and published November 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$80,700.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

q) (470-912/448-90035) Construction of Water Distribution System No. 448-90035 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, as authorized by Resolution No. R-05-075, adopted March 1, 2005, and published March 4, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$40,300.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

r) (470-909/448-90036) Construction of Water Distribution System No. 448-90036 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, as authorized by Resolution No. R-05-076, adopted March 1, 2005, and published March 4, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$8,600.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

s) (470-911/448-90037) Construction of Water Distribution System No. 448-90037 TO SERVE THE WATERFRONT ADDITION, North of 13th Street, East of Webb Road, as authorized by Resolution No. R-05-132, adopted March 22, 2005, and published March 28, 2005, corrected & republished April 8, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$47,400.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a square foot basis.

t) (470-932/448-90052) Construction of Water Distribution System No. 448-90052 TO SERVE SOUTHERN RIDGE 3RD ADDITION, South of Pawnee, West of Maize, as authorized by Resolution No. R-05-156, adopted March 22, 2005, and published March 28, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$27,600.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

u) (470-913/448-90058) Construction of Water Distribution System No. 448-90058 TO SERVE EVERGREEN ADDITION, North of 21st, West of Maize, as authorized by Resolution No. R-05-120, adopted March 8, 2005, and published March 14, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$87,300.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

v) (470-919/448-90064) Construction of Water Distribution System No. 448-90064 TO SERVE VALLEY ACRES ADDITION, North of 11th, West of St. Paul, as authorized by Resolution No. R-05-179, adopted April 5, 2005, and published April 8, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$4,900.00 is to be apportioned 100% payable by the improvement district to the improvement district. The cost has been assessed on a fractional basis.

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SEWER PROJECTS:

w) (480-789/468-83171) Construction of LATERAL 2, MAIN 11, SANITARY SEWER NO. 23, East of Rock Road, North of 45th Street North, as authorized by Resolution No. R-00-438, rescinded by Resolution No. R-04-621, adopted December 19, 2000 & November 16, 2004, and published December 23, 2000 & November 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$111,700.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

x) (480-772/468-83431) Construction of LATERAL 2, MAIN 21, SOUTHWEST INTERCEPTOR SEWER, North of 47th Street South, East of Hoover, as authorized by Resolution No. R-02-416, adopted September 17, 2002, and published September 21, 2002, corrected & republished October 10, 2002. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$117,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

y) (480-770/468-83534) Construction of LATERAL 6, MAIN 5, NORTHWEST INTERCEPTOR SEWER, South of 13th, West of 135th Street West, as authorized by Resolution No. R-02-549, adopted December 10, 2002, and published December 14, 2002, corrected & republished January 14, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$208,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

z) (480-783/468-83646) Construction of LATERAL 8, NORTHWEST INTERCEPTOR SEWER, North of 29th Street North, between Maize & Tyler, as authorized by Resolution No. R-03-294, adopted June 10, 2003, and published June 13, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$63,900.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aa) (480-805/468-83690) Construction of LATERAL 10, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-471, adopted September 9, 2003, and published September 12, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$31,900.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ab) (480-806/468-83691) Construction of LATERAL 11, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-472, adopted September 9, 2003, and published September 12, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$65,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ac) (480-807/468-83692) Construction of LATERAL 12, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-03-473, adopted September 9, 2003, and published September 12, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$111,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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ad) (480-755/468-83748) Construction of LATERAL 16, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, as authorized by Resolution No. R-04-348, adopted July 13, 2004, and published July 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$163,500.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ae) (480-793/468-83758) Construction of LATERAL 10, MAIN 2, COWSKIN INTERCEPTOR SEWER, West of 135th Street West, North of Kellogg, as authorized by Resolution No. R-04-015, rescinded by Resolution No. R-05-077, adopted January 6, 2004 & March 1, 2005, and published January 9, 2004 & March 4, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$139,600.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

af) (480-745/468-83802) Construction of LATERAL 369, FOUR MILE CREEK SEWER, North of Pawnee, East of Webb, as authorized by Resolution No. R-04-249, amended by Resolution No. R-04-443, adopted May 18, 2004 & August 31, 2004, and published May 21, 2004 & September 3, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$112,100.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ag) (480-749/468-83804) Construction of LATERAL 33, MAIN 1, WESTLINK SEWER, East of Evergreen, North of Maple, as authorized by Resolution No. R-04-212, adopted May 4, 2004, and published May 7, 2004. Petition for this improvement was Ordered In. The Statement of Cost approved December 20, 2005, in the amount of \$90,900.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ah) (480-764/468-83831) Construction of LATERAL 34, MAIN 1, WESTLINK SEWER, East of Byron, South of Douglas, as authorized by Resolution No. R-04-387, adopted August 3, 2004, and published August 6, 2004. Petition for this improvement was signed by owners representing 66.67% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$29,300.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

ai) (480-771/468-83870) Construction of LATERAL 5, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, as authorized by Resolution No. R-04-431, adopted August 17, 2004, and published August 20, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$79,500.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aj) (480-778/468-83871) Construction of LATERAL 6, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, as authorized by Resolution No. R-04-432, adopted August 17, 2004, and published August 20, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$166,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ak) (480-782/468-83895) Construction of LATERAL 6, MAIN 26, WAR INDUSTRIES SEWER, North of 21st, West of Greenwich, as authorized by Resolution No. R-04-541, adopted September 28, 2004, and published October 1, 2004, corrected & republished February 27, 2006. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$48,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

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al) (480-785/468-83922) Construction of LATERAL 18, MAIN 19, SOUTHWEST INTERCEPTER SEWER, North of 29th Street North, East of Ridge, as authorized by Resolution No. R-05-015, adopted January 4, 2005, and published January 10, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$12,600.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

am) (480-794/468-83948) Construction of LATERAL 11, MAIN 2, COWSKIN INTERCEPTOR SEWER, West of 135th Street West, North of Kellogg, as authorized by Resolution No. R-05-078, adopted March 1, 2005, and published March 4, 2005, corrected & republished March 23, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$9,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

an) (480-797/468-83949) Construction of LATERAL 50, MAIN 24, WAR INDUSTRIES SEWER, North of 13th, East of Webb, as authorized by Resolution No. R-05-128, adopted March 22, 2005, and published March 28, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$35,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

ao) (480-798/468-83969) Construction of LATERAL 1, MAIN 6, NORTHWEST INTERCEPTOR SEWER, North of 21st, West of Maize, as authorized by Resolution No. R-05-121, adopted March 8, 2005, and published March 14, 2005, corrected & republished April 14, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$106,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ap) (480-804/468-84008) Construction of LATERAL 148, MAIN 4, SANITARY SEWER NO. 23, West of Arkansas, North of 33rd Street North, as authorized by Resolution No. R-05-267, adopted May 17, 2005, and published May 21, 2005, corrected & republished June 3, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$6,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aq) (480-822/468-84034) Construction of MAIN 14B, FOUR MILE CREEK SEWER, South of 21st, East of 127th Street East, as authorized by Resolution No. R-05-324, rescinded by Resolution No. R-05-455, adopted June 21, 2005 & September 13, 2005, and published June 24, 2005 & September 16, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$13,200.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

STORM SEWER PROJECTS:

ar) (485-282/468-83169) Construction of SWD NO. 156, TO SERVE SAWMILL CREEK ADDITION, East of Rock, North of 45th Street North, as authorized by Resolution No. R-00-436, rescinded by R-04-620, adopted December 19, 2000 & November 16, 2004, and published December 23, 2000 & November 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$247,100.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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as) (485-269/468-83558) Construction of SWD NO. 196, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West, as authorized by Resolution No. R-02-550, adopted December 10, 2002, and published December 14, 2002, corrected & republished February 27, 2003. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$235,700.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

at) (485-270/468-83561) Construction of SWS NO. 583, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West, as authorized by Resolution No. R-02-553, adopted December 10, 2002, and published December 14, 2002. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$101,100.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

au) (485-220/468-83573) Construction of SWS NO. 586, TO SERVE POWER CDC 2ND ADDITION, North of 25th Street North, West of Grove, as authorized by Resolution No. R-02-587, amended by R-04-550, adopted December 17, 2002 & October 12, 2004, and published December 21, 2002 & October 15, 2004, corrected & republished May 4, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$65,100.00 is to be apportioned 64% payable by the improvement district and 36% payable by the City of Wichita at Large. The cost has been assessed on a fractional basis.

av) (485-283/468-83637) Construction of SWD NO. 205, TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central, as authorized by Resolution No. R-03-257, rescinded by R-05-013, rescinded by R-05-164, adopted May 20, 2003, January 4, 2005 & March 22, 2005, and published May 23, 2003, January 10, 2005 & March 28, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$232,000.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

aw) (485-250/468-83759) Construction of SWD NO. 223, TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, as authorized by Resolution No. R-04-016, rescinded by R-04-119, adopted January 6, 2004 & March 16, 2004, and published January 9, 2004 & March 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$205,900.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ax) (485-273/468-83836) Construction of SWD NO. 235, TO SERVE MY HOUSE ADDITION, South of 55th Street South, West of Broadway, as authorized by Resolution No. R-04-317, adopted June 8, 2004, and published June 11, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$107,000.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ay) (485-277/468-83894) Construction of SWS NO. 610, TO SERVE SOUTHERN RIDGE 2ND ADDITION, South of Pawnee, West of Maize, as authorized by Resolution No. R-04-511, adopted September 14, 2004, and published September 17, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$395,100.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

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az) (485-274/468-83899) Construction of SWD NO. 240, TO SERVE THE PLAZA AT CHERRY CREEK HILLS, East of Rock, North of Oak Knoll, as authorized by Resolution No. R-04-539, adopted September 28, 2004, and published October 1, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$41,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

ba) (485-275/468-83920) Construction of SWD NO. 242, TO SERVE THE WATERFRONT 4TH ADDITION, North of 13th, East of Webb, as authorized by Resolution No. R-04-593, adopted November 2, 2004, and published November 19, 2004. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$46,900.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bb) (485-276/468-83929) Construction of SWD NO. 245, TO SERVE FOX RIDGE ADDITION, East of Maize, North of 29th Street North, as authorized by Resolution No. R-04-628, adopted November 23, 2004, and published November 29, 2004, corrected & republished July 13, 2005, corrected & republished July 27, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$240,500.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bc) (485-279/468-83936) Construction of SWD NO. 248, TO SERVE THE FAIRMONT 3RD, West of 127th Street East, North of 21st, as authorized by Resolution No. R-05-012, rescinded by R-05-569, adopted January 4, 2005 & November 8, 2005, and published January 10, 2005 & November 17, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$229,700.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a fractional basis.

bd) (485-286/468-83951) Construction of SWS NO. 612, TO SERVE THE WATERFRONT ADDITION, North of 13th, East of Webb, as authorized by Resolution No. R-05-130, adopted March 22, 2005, and published March 28, 2005. Petition for this improvement was signed by owners representing 100% of the property ownership. The Statement of Cost approved December 20, 2005, in the amount of \$87,400.00 is to be apportioned 100% payable by the improvement district. The cost has been assessed on a square foot basis.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the proposed Assessments be approved and the Ordinances placed on first reading. Motion carried 7 to 0.

a) (470-926/448-89793)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89793 TO SERVE SHADOW WOODS ADDITION, West of 135th Street West, North of Maple, introduced and under the rules laid over.

b) (470-882/448-89828)

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ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89828 TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central, introduced and under the rules laid over.

c) (470-896/448-89838)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89838 TO SERVE FOX RIDGE ADDITION, North of 29th Street North, between Maize & Tyler, introduced and under the rules laid over.

d) (470-920/448-89868)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89868 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

e) (470-921/448-89869)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89869 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

f) (470-922/448-89870)\

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89870 TO SERVE AVALON PARK ADDITION, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

g) (470-873/448-89908)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89908 TO SERVE AVALON PARK 2ND ADDITION, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

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h) (470-908/448-89911) Construction of Water Distribution System No. 448-89911 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, introduced and under the rules laid over.

ORDINANCE

i) (470-879/448-89958)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89958 TO SERVE SAND PLUM ADDITION, South of 45th Street North, West of Webb, introduced and under the rules laid over.

j) (470-878/448-89985)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89985 TO SERVE SAVANNA AT CASTLE ROCK RANCH 10TH ADDITION, West of 143rd Street East, North of 13th, introduced and under the rules laid over.

k) (470-893/448-89992)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89992 TO SERVE HAWTHORNE 3RD ADDITION, North of 21st, East of 127th Street East, introduced and under the rules laid over.

l) (470-890/448-89993)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89993 TO SERVE HAWTHORNE 2ND & 3RD ADDITIONS, North of 21st, East of 127th Street East, introduced and under the rules laid over.

m) (470-917/448-89998)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-89998 TO SERVE SHOAL CREEK 3RD ADDITION, West of 143rd Street East, South of Central, introduced and under the rules laid over.

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n) (470-895/448-90006)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90006 TO SERVE REGENCY LAKES COMMERCIAL 2ND ADDITION, North of 21st, West of Greenwich, introduced and under the rules laid over.

o) (470-892/448-90012)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90012 TO SERVE WOODLAWN NORTH POINTE ADDITION, South of 29th Street North, East of Woodlawn, introduced and under the rules laid over.

p) (470-905/448-90022)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90022 TO SERVE SAWMILL CREEK ADDITION, introduced and under the rules laid over.

q) (470-912/448-90035)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90035 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, introduced and under the rules laid over.

r) (470-909/448-90036)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90036 TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg, introduced and under the rules laid over.

s) (470-911/448-90037)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90037 TO SERVE THE WATERFRONT ADDITION, North of 13th Street, East of Webb Road, introduced and under the rules laid over.

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t) (470-932/448-90052)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90052 TO SERVE SOUTHERN RIDGE 3RD ADDITION, South of Pawnee, West of Maize, introduced and under the rules laid over.

u) (470-913/448-90058)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90058 TO SERVE EVERGREEN ADDITION, North of 21st, West of Maize, introduced and under the rules laid over.

v) (470-919/448-90064)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of Water Distribution System No. 448-90064 TO SERVE VALLEY ACRES ADDITION, North of 11th, West of St. Paul, introduced and under the rules laid over.

SEWER PROJECTS:

w) (480-789/468-83171)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 2, MAIN 11, SANITARY SEWER NO. 23, East of Rock Road, North of 45th Street North, introduced and under the rules laid over.

x) (480-772/468-83431)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 2, MAIN 21, SOUTHWEST INTERCEPTOR SEWER, North of 47th Street South, East of Hoover, introduced and under the rules laid over.

y) (480-770/468-83534)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 6, MAIN 5, NORTHWEST INTERCEPTOR SEWER, South of 13th, West of 135th Street West, introduced and under the rules laid over.

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z) (480-783/468-83646)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 8, NORTHWEST INTERCEPTOR SEWER, North of 29th Street North, between Maize & Tyler, introduced and under the rules laid over.

aa) (480-805/468-83690)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 10, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

ab) (480-806/468-83691)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 11, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

ac) (480-807/468-83692)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 12, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

ad) (480-755/468-83748)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 16, MAIN 19, SOUTHWEST INTERCEPTOR SEWER, North of 37th Street North, East of Tyler, introduced and under the rules laid over.

ae) (480-793/468-83758)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 10, MAIN 2, COWSKIN INTERCEPTOR SEWER, West of 135th Street West, North of Kellogg, introduced and under the rules laid over.

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af) (480-745/468-83802)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 369, FOUR MILE CREEK SEWER, North of Pawnee, East of Webb, introduced and under the rules laid over.

ag) (480-749/468-83804)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 33, MAIN 1, WESTLINK SEWER, East of Evergreen, North of Maple, introduced and under the rules laid over.

ah) (480-764/468-83831)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 34, MAIN 1, WESTLINK SEWER, East of Byron, South of Douglas, introduced and under the rules laid over.

ai) (480-771/468-83870)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 5, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, introduced and under the rules laid over.

aj) (480-778/468-83871)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 6, MAIN 13, FOUR MILE CREEK SEWER, North of 21st, East of 127th Street East, introduced and under the rules laid over.

ak) (480-782/468-83895)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 6, MAIN 26, WAR INDUSTRIES SEWER, North of 21st, West of Greenwich, introduced and under the rules laid over.

al) (480-785/468-83922)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 18, MAIN 19, SOUTHWEST INTERCEPTER SEWER, North of 29th Street North, East of Ridge, introduced and under the rules laid over.

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am) (480-794/468-83948)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 11, MAIN 2, COWSKIN INTERCEPTOR SEWER, West of 135th Street West, North of Kellogg, introduced and under the rules laid over.

an) (480-797/468-83949)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 50, MAIN 24, WAR INDUSTRIES SEWER, North of 13th, East of Webb, introduced and under the rules laid over.

ao) (480-798/468-83969)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 1, MAIN 6, NORTHWEST INTERCEPTOR SEWER, North of 21st, West of Maize, introduced and under the rules laid over.

ap) (480-804/468-84008)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of LATERAL 148, MAIN 4, SANITARY SEWER NO. 23, West of Arkansas, North of 33rd Street North, introduced and under the rules laid over.

aq) (480-822/468-84034)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of MAIN 14B, FOUR MILE CREEK SEWER, South of 21st, East of 127th Street East, introduced and under the rules laid over.

STORM SEWER PROJECTS:

ar) (485-282/468-83169)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 156, TO SERVE SAWMILL CREEK ADDITION, East of Rock, North of 45th Street North, introduced and under the

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as) (485-269/468-83558)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 196, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West, introduced and under the rules laid over.

at) (485-270/468-83561)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 583, TO SERVE COPPER GATE ESTATES, South of 13th, West of 135th Street West, introduced and under the rules laid over.

au) (485-220/468-83573)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 586, TO SERVE POWER CDC 2ND ADDITION, North of 25th Street North, West of Grove, introduced and under the rules laid over.

av) (485-283/468-83637)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 205, TO SERVE HIGHLAND SPRINGS 3RD ADDITION, West of 135th Street West, South of Central, introduced and under the rules laid over.

aw) (485-250/468-83759)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 223, TO SERVE AUBURN HILLS 15TH ADDITION, West of 135th Street West, North of Kellogg., introduced and under the rules laid over.

ax) (485-273/468-83836)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 235, TO SERVE MY HOUSE ADDITION, South of 55th Street South, West of Broadway, introduced and under the rules laid over.

(ay (485-277/468-83894)

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 610, TO SERVE SOUTHERN RIDGE 2ND ADDITION, South of Pawnee, West of Maize, introduced and under the rules laid over.

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az) (485-274/468-83899)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 240, TO SERVE THE PLAZA AT CHERRY CREEK HILLS, East of Rock, North of Oak Knoll, introduced and under the rules laid over.

ba) (485-275/468-83920)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 242, TO SERVE THE WATERFRONT 4TH ADDITION, North of 13th, East of Webb, introduced and under the rules laid over.

(bb) (485-276/468-83929)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 245, TO SERVE FOX RIDGE ADDITION, East of Maize, North of 29th Street North, introduced and under the rules laid over.

bc) (485-279/468-83936)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWD NO. 248, TO SERVE THE FAIRMONT 3RD, West of 127th Street East, North of 21st, introduced and under the rules laid over.

(bd) (485-286/468-83951)

ORDINANCE

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of construction of SWS NO. 612, TO SERVE THE WATERFRONT ADDITION, North of 13th, East of Web, introduced and under the rules laid over.

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HILLSIDE BRIDGE HILLSIDE STREET BRIDGE AT GYPSUM CREEK, SOUTH OF RANGE ROAD. **(DISTRICT III)**

Jim Armour

City Engineer reviewed the item.

Agenda Item No 06-0367

The 2005-2014 Capital Improvement Program (CIP) adopted by the City Council includes a project to improve the Hillside St. Bridge at Gypsum Creek. District III Advisory Board sponsored a March 1, 2006, neighborhood hearing on the project. The Board voted 9-0 to recommend approval of the project.

The project will replace the existing bridge. Sidewalks will be built on both sides of the new structure. Gabion retaining walls (rock filled wire baskets) will be installed along the channel under the bridge. Construction is planned to begin later this year.

The budget contained in the CIP is \$850,000 with \$385,000 paid by the City and \$500,000 by Federal Grants administered by the Kansas Department of Transportation. The original design concept was to rehabilitate the bridge. It has since been determined that the structure has deteriorated to the point that it should be removed and replaced. The current estimated cost is \$1,285,000 with \$785,000 paid by the City and \$500,000 by Federal Grants. The funding source for the City share is General Obligation Bonds. Funding for the budget increase is available from under expenditures in the Hydraulic improvement project, between 57th St. South and 47th St. South.

The Law Department has approved the authorizing Ordinance as to legal form.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Skelton moved that the project be approved; the Ordinance placed on First Reading and the signing of State/Federal agreements as required authorized. Motion carried 7 to 0.

ORDINANCE

An Ordinance declaring the Hillside Street Bridge at Gypsum Creek (472-84395) to be a main trafficway Within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same, introduced and under the rules laid over.

GRANT PROGRAM ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM.

Larry Garcia

Fire Chief reviewed the item.

Agenda Report No. 06-0368

The FY 2006 Defense Authorization Act authorized the Federal Department of Homeland Security, Federal Emergency Management Agency (EMA), to make \$539,550,000 in grant monies available to fire departments. The programs and associated activities that are eligible for the 2006 grant programs are: Operations and Firefighter Safety and Firefighting Vehicle Acquisition Program. Applicants can apply for only one of the two programmatic areas. Grant applications are due April 6, 2006.

The Fire Department has developed a \$387,955 grant application, requesting funding in the Operations and Firefighter Safety Program category. If approved, the grant funds would be used to replace and upgrade existing station vehicle exhaust extraction systems. The existing systems, built and installed by department personnel in the early 1990's in Stations 1, 2, 3, 5, 8, 9, 11, 14, 15, 16, 17 and 18 are in need of major repairs and/or replacement. The systems have become unreliable and increasingly difficult to make repairs and obtain parts for. The grant proposal will bring all City Fire Stations into compliance with OSHA regulations and NFPA Standards (1500 9.1.6) as well as create a safer and healthier living

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environment for firefighters by replacing the exhaust extraction systems with customized stand alone automatic filtration systems that filter all contaminants from the air.

Fire is applying for a grant of \$387,955. The grant specifies a match of 20%, or \$77,591. If the grant is awarded the match will be funded from under-expenditures in the departmental capital projects.

The grant award will be reviewed by the Department of Law upon receipt.

Mayor Mayans

Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--
--carried

Mayans moved that the grant application be approved and the necessary signatures authorized.
Motion carried 7 to 0.

HOUSING POLICY

COMPREHENSIVE HOUSING POLICY.

Mary K. Vaughn

Director of Housing and Community Services reviewed the item.

Agenda Report No. 06-0369

In August 2004, the Housing Advisory Board participated in a planning retreat and agreed on the need for a comprehensive housing policy for the City of Wichita. The Board and staff of the Housing and Community Services Department performed research on local housing policies across the country and created a template for development of a comprehensive housing policy for Wichita. Board and staff members created five teams around the following themes: Housing Affordability; Housing Availability; Neighborhood Stability; Leveraging Resources; and Housing Quality. Each team researched their theme, inviting input from a variety of stakeholders. A draft housing policy was released in November 2005, for City Council review.

The preliminary review and discussion by the City Council took place in January 2006 and was followed by distribution for comment by community partners. Feedback from all the community partner reviews has been incorporated in the 2006 Comprehensive Housing Policy, which is being presented for adoption. In addition, staff reviewed the Policy for consistency with the City of Wichita's recently approved Strategic Goals. That review revealed that the Policy and Goals are complementary and consistent.

It is the conclusion of all who have reviewed the document, that this comprehensive housing policy will be a useful tool in organizing and identifying resources to address the barriers and implement the strategies, which were identified in each of the five theme areas. However it is equally important to consider this a 'living' document. Regular updates to the policy will be made at least annually, to adjust for changing conditions and achievement of specific goals. These annual updates, which will be presented to the City Council, will also allow for the Policy to be reviewed in the context of the City's Strategic Goals.

Adoption of the Comprehensive Housing Policy does not require a financial commitment by the City of Wichita. As policy strategies are implemented, funding plans will be developed and will consider a variety of resources.

Adoption of the Comprehensive Housing Policy does not legally obligate the City of Wichita.

Tony Rangle

Chairman of the Wichita Housing Advisory Board stated that a year ago, Housing Advisory Board and staff of Housing and Community Services had a retreat and they evaluated what they thought were the current needs of housing in the community. Stated that they outlined this new comprehensive housing policy, which came as an outcome of their recognition, that perhaps there were some ways that they could better coordinate their efforts and the City's efforts in providing housing for all Wichitans. Stated that they set out to evaluate some of the existing states of housing as well as the services in the City of Wichita, affecting those housing needs. Stated that they discovered that there was major impact of housing on their community's quality of life, the economy itself as well as the community's success in the future. Stated they started to embrace this as an important effort on their part in order to provide to

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the Council to evaluate a greater comprehensive housing policy. Stated that they also discovered how pervasive the City's efforts and the services that the City has regarding housing for the citizens of Wichita and learned that nearly every department and every service provided by the City of Wichita has an impact on the quality of housing in the City of Wichita. Stated that this is meant to be a fluid document and they know it will continue to evolve as their priorities change and new priorities come to their attention but will always have the main goal of providing quality housing for the citizens of Wichita. Stated that they are asking the City Council to adopt the new comprehensive housing policy and the members of the Wichita Housing Advisory Board are anxious to get started on the next phase of implementation.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion--carried Mayans moved that the 2006 Comprehensive Housing Policy be adopted. Motion carried 7 to 0.

FIRE PROTECTION LETTER OF INTENT TO PROVIDE FIRE PROTECTION SERVICES TO THE CITY OF EASTBOROUGH. (DISTRICT II)

George Kolb City Manager reviewed the item.

Agenda Report No. 06-0370

The City of Eastborough has requested the City of Wichita to provide fire protection services to the City of Eastborough. Eastborough has proposed that the City of Wichita and the City of Eastborough enter into a contract that provides for such fire protection services in return for which, the City of Eastborough will pay the City of Wichita a fee equivalent to 11 mills for each dollar of assessed valuation with the City of Eastborough.

Under the first responder agreement between the City of Wichita and Sedgwick County, it is the City of Wichita, which currently responds first to fire and emergency calls within the City of Eastborough. Despite this, Eastborough pays a fee of 18.5 mills per dollar of assessed valuation to the Sedgwick County Fire District for fire protection services.

The provision of fire protection services to the City of Eastborough will require a similar level of effort and response as is currently provided to residents of the City of Wichita who live adjacent to the Eastborough city limits. Currently, the City of Wichita calculates that the provision of such fire protection services to its residents is equivalent to a charge of 11 mills per dollar of assessed valuation.

The Law department has approved the Letter of Intent as to form and will negotiate a contract with Eastborough to reflect the terms of such Letter of Intent if the City of Eastborough is successful in detaching from the Sedgwick County Fire District.

Council Member Skelton Council Member Skelton asked what the payment by Eastborough of 11 mills would equate to.

George Kolb City Manager stated that it would equate to approximately \$100,000.00.

Mayor Mayans Mayor Mayans inquired whether anyone wished to be heard and no one appeared.

Motion-- Schlapp moved that the letter of Agreement be approved; the Law Department directed to negotiate a contract with Eastborough consistent with the Letter of Intent if Eastborough is successful in detaching from the Sedgwick County Fire District, and the Mayor authorized to execute the Letter of Intent and any contract drafter pursuant to such Letter of Intent. Motion carried 7 to 0.

--carried

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PLANNING AGENDA

Council Member Brewer Council Member Brewer requested that item 36 be pulled for discussion.

Motion-- Mayans moved that the Planning Consent Agenda items 34 to 37, excluding item 36, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

DR2006-03

DR2006-03-REQUEST FOR A STREET NAME CHANGE FROM JARDINE DRIVE TO OPPORTUNITY DRIVE. (DISTRICT I)

Agenda Report No. 06-0371

Staff Recommendation: Approve the street name change.

MAPC Recommendation: Approve the street name change. (12-0)

The Metropolitan Area Planning Commission approved this request on March 16, 2006. On February 9, 2006, the Address Committee held a meeting and recommended that the street name change be approved.

The intent of this street name change request is related to the construction of new facilities.

Motion-- Mayans moved that the street name change be approved and the Ordinance placed on first reading.
--carried Motion carried 7 to 0.

ORDINANCE

An Ordinance changing a street name from Jardine Drive to Opportunity Drive, be it ordained by the governing Body of the City of Wichita, Kansas, introduced and under the rules laid over.

PUD2005-00004

PUD2005-00004-CREATION OF THE 21ST STREET KIDS AND FAMILY EMPOWERMENT PLANNED UNIT DEVELOPMENT WITH FOUR PARCELS. GENERALLY LOCATED 1/8 MILE NORTH OF 21ST STREET NORTH, EAST AND WEST OF JARDINE DRIVE. (DISTRICT I)

Agenda Report No. 06-0372

MAPC Recommendations: Approve, subject to original staff recommendations, (11-0).

MAPD Staff Recommendations: Approve, subject to a height increase on Parcels 3 and 4.

DAB Recommendations: Approve, subject to original staff recommendations, (8-0).

The 21st Street Kids and Family Empowerment Planned Unit Development (PUD), located north of 21st Street North on both sides of Jardine Drive, were approved by City Council on January 18, 2006, subject to platting. The PUD established a 35-foot maximum building height on all parcels. The agent for the applicant has now contacted staff and requested that the PUD be changed to allow for a 50-foot building height on Parcels 3 and 4 to accommodate proposed gymnasiums on those parcels. Because the ordinance establishing the PUD has not had a first reading and has not been published, the requested height increase can be addressed at present, avoiding a PUD amendment process. Because this request is now different than what was approved by the MAPC at the public hearing on September 23, 2005, the Council must now have a 2/3 majority to override the MAPC decision.

The District I Advisory Board and MAPC both voted unanimously to approve the PUD, subject to staff recommendations. Building height was not a concern, and it was not discussed at either of these public hearings. The entire PUD has 35-foot building setbacks from surrounding properties, mitigating building height concerns.

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The ordinance has been reviewed and approved as to form by the Law Department.

Motion--

Mayans moved that the findings of the MAPC be adopted; the PUD with a height increase from 35 feet to 50 feet on Parcels 3 and 4 be approved; the ordinance placed on the first reading and staff instructed to publish the ordinance. Motion carried 7 to 0.

--carried

ORDINANCE

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by Section 28.04.010, as amended, introduced and under the rules laid over. (PUD2005-00004)

(Item 36)

ZON2005-00058

ZON2005-00058-ZONE CHANGE FROM TWO-FAMILY RESIDENTIAL TO NEIGHBORHOOD OFFICE. GENERALLY LOCATED WEST OF OLIVER AVENUE AT THE NORTHEAST CORNER OF CENTRAL AND CRESTWAY. (DISTRICT I)

Agenda Report No. 06-0373

MAPC Recommendations: Denied (6-5).

MAPD Staff Recommendations: Denied.

DAB Recommendations: Denied (8-2).

The applicants are requesting "NO" Neighborhood Office zoning on a platted 0.22-acre site, which is currently zoned "TF-3" Two-family Residential. The site is located on the northeast corner of Crestway and Central Avenue. The site's current structure appears to be what was originally a single-family residence (approximately 1,428-square feet, single-story, wood lap siding, built in the late 1920s) facing Central with a detached single car garage in the back. Access to the garage is off of Crestway. There is a paved alley (which is blocked off by a fence located east of the site) abutting the back of the site by the garage with a graveled area abutting the east side of the garage. There is a six-foot wooden privacy fence around the back yard of the site. The applicants propose to convert this residential structure into an office. It appears the applicants have already begun the conversion and have a sign posted in the front yard advertising the business. The applicants were advised that the Unified Zoning Code (UZO, Art.IV, Sec. IV-E) permitted the proposed business as a "home occupation, office facilities." The applicants have stated that the office will be operating without an occupant on the site, thus canceling any possible "home occupation" status. They also want a larger on-site sign than what was permitted for a home occupation. Staff advised the applicants that a variance could be applied for, in regards to the sign they wanted and that is currently on site, if the office was operated as a "home occupation".

"TF-3" zoned lots that have been developed as duplexes are east of the site, extending up to where the block ends at Terrance Drive. The next block east of the site is zoned "TF-3" and "MF-20" Multifamily Residential, and is developed with duplexes and four-plexes with the exception of the eastern most corner property being zoned "GO" General Office. This "GO" zoned property is almost two blocks away and is the nearest nonresidential zoning on the north side of Central. The "GO" zoned property is also the western most extension of the commercial ("LC" Limited Commercial) zoning located around the Central and Oliver Avenue intersection, specifically on the north side of Central. South of the site, and across Central Avenue, properties are zoned "TF-3" and "SF-5" Single-family Residential with development being overwhelming single-family residential. There is "LC" zoning almost two blocks east of the site on the south side of Central. Similar to the previously mentioned "GO" zoning, it is the western most extension of the commercial ("LC") zoning around the Central and Oliver Avenue intersection. "TF-3" zoning and a mixture of mostly single-family residences and some duplexes are located west, across Crestway Avenue, from the site. The nearest commercial/office zoning west of the site is seven blocks away. "TF-3" zoning and a mixture of mostly single-family residences and a few scattered duplexes are located north of the site.

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The Metropolitan Area Planning Commission (MAPC) heard this request on February 2, 2006. The MAPC recommended denial (6-5) citing the findings found in the staff report. One property owner spoke in opposition citing concerns with increased traffic and the impact it would have on their shared driveway with the applicant. District Advisory Board I reviewed this request on March 6, 2006. DAB I recommended denial (8-2).

Should the City Council approve the request an ordinance will be prepared reflecting the Council's direction.

Council Member Brewer Council Member Brewer stated that this issue came before the District Advisory Board and became a very heated conversation regarding a sign being out and the business being located on Central and there were additional issues with other businesses in that area and one business that did not meet the same requirements but it was existing. Stated that as more information surfaced, the DAB made a decision but it became very clouded because a lot of personalities and other things came into play. Stated that the DAB was a very close vote, 8 to 2 and the Planning Commission vote was 6 to 5 and he would like to send this item back to the MAPC for them to reevaluate it based on the information that both parties had received and rehear it and come back again to the City Council.

Motion-- Brewer moved that the application be returned to the MAPC for reconsideration. Motion
--carried carried 7 to 0.

CUP2006-00003

CUP2006-00003-DP256 AMENDMENT #2-MINOR AMENDMENT TO THE COLLECTION COMMUNITY UNIT PLAN TO REDUCE A BUILDING SETBACK. GENERALLY LOCATED AT THE SOUTHEAST CORNER OF K-96 AND 21ST STREET NORTH. (DISTRICT II)

Agenda Report No. 06-0374

MAPC Recommendations: Approve, subject to staff recommendations, vote (13-0).

MAPD Staff Recommendations: Approve, subject to the submitted site plan.

DAB Recommendations: Not applicable.

The applicant requests a minor amendment to DP-256, The Collective Community Unit Plan (CUP). The applicant proposes to reduce the CUP's 35-foot building setback along Founders Street for Parcel 3. The proposed setback reduction would be from 35 feet to 26 feet, a nine-foot or 25% reduction. The proposed use is an office facility. The applicant proposes to place an outdoor patio on the southeast corner of the building, and connect the building to the sidewalk along Founders Street (see the attached site plan).

The CUP limits uses in Parcel 3 to those permitted in "NR" Neighborhood Retail zoning. The CUP has a pedestrian circulation and architectural requirements, and screening is required for all dumpsters, loading docks and mechanical systems.

All the abutting property within the Collective CUP is zoned "LC". Much of the other surrounding property is developed with institutional uses. Trinity Academy is a private high school located to the east, across Founders Street, from the site. Messiah Baptist Church and Magdalen Catholic Church and School are across 21st Street North. A "GO" General Office zoned medical office is south of the CUP.

MAPC heard this request on March 2 2006 and no citizens spoke at the hearing. The action of the MAPC was to approve the CUP Amendment request subject to staff recommendations, making the CUP Amendment subject to the submitted site plan.

Motion-- Mayans moved to concur with the findings of the MAPC and approve Amendment #2. Motion
--carried carried 7 to 0.

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HOUSING AGENDA

UTILITY ALLOW. 2006 UTILITY ALLOWANCES-SECTION 8 PROGRAMS.

Agenda Report No.06-0375

Housing Authorities are required by the U.S. Department of Housing and Urban Development (HUD) to annually review and make appropriate adjustments to the utility allowances provided for tenant furnished utilities. The allowances are subtracted from the tenant's Adjusted Gross Rent to provide the net amount payable to landlords as rent, and are based on actual rates, average consumption estimates and adjustments for structure type and number of bedrooms. Utility allowances are not direct compensation to the tenant for their utility consumption.

The Quality Housing and Work Responsibilities Act of 1998 requires annual review of utility allowances and if there has been a change (increase/decrease) of 10% or more in a utility rate, the allowance must be revised. The Wichita Housing Authority Board must review and approve the utility allowances prior to implementation by the Wichita Housing Authority/Housing and Community Services Department.

Section 8 program staff reviewed utility rates using information provided by utility suppliers to determine the appropriate consumption for an energy-conserving household by structure type and bedroom size. Although, the utilities rate changes fluctuated over the past fourteen months with some services increasing and decreasing it was determined that the thresholds was met to implement an amendment to the Section 8 Utility Allowance Schedule. Other considerations applied to the staff recommendations listed below, are HUD's requirement for separate consumption calculations for air conditioning, trash, ranges, and refrigerators. The Wichita Housing Authority's current procedures require that the landlord provide the stove and refrigerator before the unit can pass the initial inspection, however, we are required to provide rental or purchase amount in the Utility Schedule.

Staff analysis determined that utility rates for gas, water, sewer and trash increased an average of 26%, with electricity decreased an average of 15%. Allowances have been adjusted in the attached tables, based on these findings.

This is a HUD required action. Adopting the utility allowances for 2006 will not affect the Housing and Community Services Department's financial position.

Motion--

Inafay Gray-McClellan moved that the utility allowances be effective May 1, 2006 for new clients and current clients at their next recertification dates beginning August 1, be approved and adopted.

--carried

Motion carried 8 to 0.

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CITY COUNCIL

BOARD APPTS.

BOARD APPOINTMENTS.

There were no appointments made.

RECESS

Motion--

Mayans moved that the City Council recess at 10:35 a.m. into Executive Session to consider: Consultation with legal counsel on matters privileged in the attorney-client relationship relating to: legal advice and confidential data relating to the financial affairs or trade secrets of a business and that the City Council return from Executive Session no earlier than 10:45 a.m. and reconvene in the City Council Chambers on the first floor of City Hall. Motion carried 7 to 0.

--carried

RECONVENE

The City Council reconvened in the City Council Chambers at 10:45 a.m. Mayor Mayans announced that no action was taken.

Motion--carried

Mayans moved at 10:45 a.m. to close the Executive Session. Motion carried 4 to 0, (Fearey, Martz and Schlapp were not present)

Motion--carried

Mayans moved at 10:46 a.m. to close the regular meeting. Motion carried 4 to 0, (Fearey, Martz and Schlapp were not present).

ADJOURNMENT

The meeting adjourned at 10:46 a.m.

Respectfully submitted,

Karen Sublett CMC
City Clerk

Workshop followed in the First Floor Board Room